

BOMBS



AWAY!

Newsletter of the **Lawyers' Committee on Nuclear Policy**
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September 11, 2001

A Rule-of-Law Response

by John Burroughs

New York City is now in a state of shock and grief. There is no war fever. Perhaps New Yorkers will adopt the exemplary attitude of the peoples of Hiroshima and Nagasaki - "never again" rather than vengeance. Of course, New Yorkers, like the world, want planners and perpetrators of the atrocities brought to justice. The immediate questions are these: how can further attacks be prevented, and how can justice be done? Because the problem of terrorism is global in scope, a legitimate and therefore effective response must centrally involve the United Nations.

On September 12, the UN Security Council unanimously adopted a resolution in which it:

- "Calls on all States to work together urgently to bring to justice the perpetrators, organizers and sponsors of these terrorist attacks and stresses that those responsible for aiding, supporting or harboring the perpetrators, organizers and sponsors of these acts will be held accountable"
- "regards [the attacks], like any act of international terrorism, as a threat to international peace and security"
- "Expresses its readiness to take all necessary steps to respond to the terrorist attacks of 11 September 2001 and to combat all forms of terrorism"

The Security Council thus set the stage for ordering the imposition of sanctions (Art. 41) or use of force (Art. 42) under Chapter VII of the UN Charter. Indeed, given its findings, it is now the obligation of the Security Council to take steps to restore international peace and security. It is doubtful that sanctions will be viewed as adequate to the task, because they have already been tried. In 1999 and 2000 the Security Council imposed a ban on air travel, a freeze on funds, and an arms embargo on the Taliban regime in Afghanistan for its failure to comply with resolutions requiring it to close down terrorist training camps and turn over

Continued on page 4 1

War: Metaphor into Reality

by Peter Weiss

Inter arma silent leges. When force speaks, the laws are silent. And the more brutal the force, the more complete the silence of law. This is what most people believe, and after the events of September 11 it is hard to blame them. But law, particularly the law of war and peace, does not march solely to the drumbeat of daily life. If it cannot keep pace with extraordinary events in the worst of times, it loses its capacity to govern, to provide the order that is associated with law. Lawyers must therefore, at times, swim

against the tide of public opinion and remind an outraged populace that even "a war to rid the world of evil" is subject to the laws of war, both *ius ad bellum*, which governs the right to go to war, and *ius in bello*, which governs the conduct of war.

The first question, then, is, what is war? According to Lassa Oppenheim, one of the giants of international law, "War is a contention between two or more States through their armed forces, for the purpose of overpowering each other, and imposing such conditions of peace as the victor pleases". A terrorist attack, no matter how heinous, committed by non-state actors, is not a *casus belli*, an "act of war", except in a metaphorical sense. It therefore

cannot justify a state resorting to war against another state in response to the attack, unless the other state's responsibility for the attack has been unambiguously established.

But, as is clear from the statements of the President and other high officials, no such responsibility has been proved, except again in a metaphorical sense. They speak of making war against countries that "support", "tolerate" or "harbor" terrorists. Saudi Arabia refuses to this day to extradite the eleven men indicted in the 1996 attack on the Khobar Towers, in which 19 US airmen were killed and 370 injured. Does this mean that Saudi Arabia is supporting terrorists and that we are or will be at war with Saudi Arabia? A recent study by the Congressional Research Service alleges that

Continued on page 2

War: Metaphor into Reality

Continued from page 1

Osama Bin Laden's organization has bases or tentacles in 37 countries. Are we, or will we be, at war with all of them?

Nor is it possible to declare war against an unidentified enemy, which is essentially what the President and the Congress have done in the aftermath of the attacks on the Twin Towers and the Pentagon. Yet, both psychologically and legally, the use of war terminology has grave consequences. Psychologically, as shown by the WAR banner headlines in the days following September 11, it creates a mood of "follow the leader, wherever he may lead" and makes bloodthirsty monsters out of normally decent citizens.

As one correspondent said in the Letters column of the New York Times on September 18, "It is not enough to wipe out Afghanistan ... I will be satisfied with nothing short of a sweeping and devastating assault on all those countries that train, finance and protect those whose stated goal is the slaughter of Americans."

Legally, a state of war triggers all sorts of undesirable consequences. At the level of international law, the proclamation of a state of emergency, which is normally less than a state of war, allows a state party to the International Covenant on Civil and Political Rights, such as the United States, to "derogate" from its obligations under the Covenant in respect of several basic human rights, including freedom from forced labor, the right to bring *habeas corpus* proceedings, freedom of movement, equality before the law and freedom from arbitrary arrest.

A de facto, or functionally equivalent, declaration of war, followed by acts of war, naturally triggers the right of self-defense by any state affected. The Taliban has already prepared the Afghan people to fight a holy war against the United States, once the US makes good on its promise to "end" that state. Every other state against which military action is taken by the global antiterrorist coalition in the making will consider itself entitled to respond with armed force against any member of the coalition. The US, with its farflung global outposts, military and otherwise, and its long list of potential target states, is particularly vulnerable in this respect. Thus, conducting the impending – and necessary – antiterrorist operation under the banner of war legitimates the cycle of violence which it is sure to spark.

Proceeding under a flag of war will of course also have, indeed has already had, grave consequences in terms of domestic constitutional law. While President Bush has not formally invoked the War Powers Act – Presidents hardly ever do – Congress has made it unnecessary for him to do so and has approved in advance the uncharted voyage on which he and the armed forces are about to embark. Thus, while a few courageous members of Congress may be heard to say that the joint resolution they passed on September 14 does not give the President a blank check for any type of military operation, it does in fact do so for at least sixty days and, judging from past experience, as well as the ambiguous language of the resolution, well beyond that time. To the extent that the resolution authorizes "the use of United States armed forces" against "nations" (as well as "organizations or persons") it is a green light for war. Its only saving grace is that it is limited to the use of force against those nations, organizations or persons which the President "determines planned, authorized, committed or aided the terrorist acts that occurred on September 11, 2001." Thus it is not – not yet – an authorization to use force for the

extirpation of every kind of terrorism from every part of the globe.

It remains to be seen what emergency powers the administration will seek to arrogate to itself and to what extent these will impinge on the very democratic freedoms in whose name this "war" is going to be fought.

In one respect the President has already exceeded his powers. His call for "Osama Bin Laden dead or alive" violates Section 2.11 of Executive Order 12333, which states in plain English: "No person employed by or acting on behalf of the United States Government shall engage in, or conspire to engage in, assassination." No doubt the vast majority of Americans would like to see Osama bin Laden dead, but that is not the point. The point is that if the prohibition

against assassination, enacted at the request of Congress in 1981 by none other than President Reagan is to be ignored, it must first be repealed by this President in consultation with this Congress. Repeal by Presidential speechwriters is not in the best American tradition and sets a most dangerous precedent.

A crime against humanity of unimaginable proportions has been committed on our territory. The perpetrators of this crime, and those who may be planning similar atrocities, must be hunted down and brought to justice with every resource of the world community –

short of war. To embark on a course leading to what Thomas Friedman has already called World War III would be compounding the tragedy and giving the Osama Bin Ladens and their ilk exactly what they want: A holy war, with vastly greater numbers of innocent victims than those who suffered horrible deaths in New York and Washington on September 11, and, if not the end of democracy as we know it, at least its diminution. Civil society must not allow this to happen.

Peter Weiss, President of LCNP, is an international and constitutional lawyer in New York.

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Crime(s) of Terrorism: Developing Law and Legal Institutions

by Saul Mendlovitz

There is no agreed upon general definition of terrorism. To be sure, there are 12 conventions dealing with certain acts which are generally recognized as terrorism. In 1963 a convention was adopted concerning acts affecting safety aboard aircraft. Two conventions in 1970 and 1971 also dealt with aircraft, criminalizing hijacking or violent acts aboard aircraft. Since then, other conventions have been adopted covering the protection of diplomats, the taking of hostages, the protection of nuclear material, the safety of maritime navigation, the safety of fixed platforms on continental shelf, violent acts in airports, the marking of plastic explosives for the purpose of detection, terrorist bombings, and financing of terrorism.

Only one treaty, the 1999 instrument on financing, has not yet entered into force. Several of the conventions have virtually universal adherence (170-plus state parties), and most have at least substantial numbers of parties. The United States has ratified all but the two most recent conventions on bombings and financing, and the Bush administration in the wake of September 11 submitted those two to the Senate for advice and consent. Afghanistan is a party to the first three conventions relating to aircraft.

In its September 28 resolution, the Security Council, employing its Chapter VII powers under the UN Charter, made instant law, among other things requiring all states to take immediate steps to suppress financing of terrorist operations and to deny "safe haven" to terrorists and their supporters.

Currently on the agenda at the United Nations are a convention on nuclear terrorism, and a comprehensive convention that would at least consolidate and rationalize the existing instruments and perhaps do more. In a September 21 "informal briefing" of the Security Council, UN legal counsel Hans Corell noted that there are serious difficulties in achieving a comprehensive convention. He identified three vexing elements: the issue of the definition of terrorism; the issue of the relationship of the proposed convention to existing and future instruments on international terrorism; and the issue of differentiating between terrorism and the right of people to self-determination and to combat foreign occupation.

A central problem of definition is whether to include state terrorism, as proposed by many over the past three decades. For example, according to Ernesto Garzon, the Spanish judge who instituted proceedings against Pinochet: "State terrorism is a political system whose rule of recognition permits and/or imposes a clandestine, unpredictable, and diffuse application, even regarding clearly innocent people, of coercive means prohibited by the proclaimed judicial ordinance. State terrorism obstructs or annuls judicial activity and transforms

the government into an active agent in the struggle for power." Another problem, alluded to by Corell, is the profound political divide captured by the cliché that one person's terrorist is another person's freedom fighter, or as in the present circumstance, holy warrior.

While it would be desirable to have a general definition of terrorism, it is not clear that these difficulties can be overcome in the near term. Perhaps what will occur is more of the same: the specific acts like hijacking or nuclear terrorism which the states of the world find threatening will produce a steady growth of treaties addressing those acts.

One of the major objectives of the existing conventions is, of course, the prosecution of individuals who engage in the proscribed acts. The attempt here is to move towards universal jurisdiction. All states who are party to a convention have the obligation to apprehend the perpetrator of the acts. Beyond that, their duty is to prosecute or extradite. Such a requirement exists in most of the conventions already noted with extradition being the most likely and preferred outcome. This has sometimes produced ad hoc arrangements as in the recent trial of two Libyan citizens for destroying a civilian aircraft over Lockerbie, Scotland. Libya agreed to extradite the suspects on the basis that the trial, while presided over by Scottish judges, would be held in The Hague.

What is needed at this juncture is the establishment of a global legal regime dealing specifically with terrorism. Some large-scale acts of terror, like the September 11 attacks, appear to fit under crimes against humanity as defined in the Statute of the International Criminal Court, but many others of lesser scale or where no "organization" is involved would not. A crime or crimes of terrorism could be added to the Statute to address future events (the Statute has not yet entered into force, and when it does will only deal with crimes committed thereafter).

However, given the Statute's amendment provisions, that process could take a decade or more. Another approach would be the establishment of a specialized permanent inter-national tribunal on terrorism. A third possibility is to continue to rely on the system of national courts and the prosecute or extradite requirement and further develop through international lawmaking the definition(s) of terrorism. Under all three approaches, an accompanying development, which may in part just evolve, would be a system of global policing involving at least a very high degree of coordination and collaboration among national police forces. Eventually, this could - and should - lead to the establishment of a global police force.

Saul Mendlovitz is Dag Hammarskjöld Professor of International Law at Rutgers-Newark School of Law.



"Ground Zero", September 18 (UN/DPI photo by Eskinder Debebe)

A Rule-of-Law Response

Continued from page 1

Osama bin Laden and others to the United States or other appropriate country for trial in connection with the 1998 embassy bombings. The United States and Britain now say that the Al Qaeda network is also responsible for the September 11 attacks. On September 28, the Security Council adopted a wide-ranging resolution among other things requiring all states to suppress financing of terrorist operations and to “deny safe haven” to terrorists.

Self-defense?

The United States is now likely to proceed with military action on its own or in concert with selected other states, sidelining the Security Council, or merely calling upon it to ratify a course of action already underway. However, the September 12 resolution does not itself authorize military action, referring only to the Security Council’s “*readiness* to take all necessary steps” (emphasis added). In its preamble the resolution does recognize “the inherent right of individual or collective self-defence in accordance with the Charter”. But the Article 51 right of self-defense against an “armed attack” traditionally has been understood to concern relations of states and in any event applies only “until the Security Council has taken measures necessary to maintain international peace and security”. The September 28 resolution calls for all states to cooperate “to take action against perpetrators”. Absent a clear Security Council statement of intent to authorize military operations, this should be understood to refer to police action in cooperating countries to bring such persons to justice.

The September 11 attacks and the 1998 embassy bombings were acts of mass terrorism, said to be carried out by non-state actors affiliated with a network hosted but not sponsored by the non-internationally recognized Taliban regime. The United States should stop employing the rhetoric of “war” and instead engage in genuine deliberations with other Security Council members on the appropriate response to this unprecedented situation. The United States and NATO did not seek Security Council authorization for the Kosovo war because a Russian veto was likely. Now, the Security Council will probably back all reasonable measures. It is not in the US interest to sideline the United Nations again, if the “age of terror” to which Bush referred in his September 20 speech is to be averted. A robust multilateralism will be required to suppress international terrorism and to combat its causes by promoting just political and economic orders in the Middle East and the world.

Constraints on military action

However it is characterized and no matter under what authority it is carried out, any military action must meet legal requirements including necessity, proportionality, and discrimination – or not be done at all. Necessity requires that the least violent course of action be taken to prevent further attacks and to bring planners and perpetrators to justice. Proportionality requires that military action not be excessive in relation to the initial attacks and to the action’s objectives. Discrimination requires that civilians not be attacked and that they not be disproportionately injured or killed by attacks on legitimate military targets. Military action must also not inflict unnecessary suffering, harm neutral nations, or cause widespread and severe damage to the environment. These requirements are imposed by international treaty and custom, set forth in US military manuals on the law of war, and recognized by the United States and the United Nations as binding law governing their conduct of military operations.

Of special importance is that, according to relief workers, millions of Afghans already face starvation. Attacks that exacerbated this

situation and caused mass starvation could not meet the requirements of proportionality and discrimination. Also important is that, as Pentagon sources confirm, desperately impoverished Afghanistan has hardly any targets of military significance. To meet the requirement of necessity, attacks must be reasonably aimed at achieving a concrete military advantage; they may not be carried out for the sake of revenge or a demonstration effect or any other nonmilitary reason. If there’s nothing to attack, don’t attack.

It should go without saying that use of nuclear weapons is barred by these requirements. But it needs saying, because on September 20 Bush stated the United States will use “every necessary weapon of war” and reportedly there is discussion in the Pentagon of a nuclear option. The United States has also given undertakings in connection with the Nonproliferation Treaty not to use nuclear weapons against non-nuclear armed states including Afghanistan. Finally, US military planners should bear in mind that any nuclear use, certainly under present circumstances, would cause the risk of a terrorist nuclear attack in the United States to skyrocket.

Indeed, the suddenly more real prospect of such an attack in the wake of September 11 should focus attention on the imperatives of securing and inventorying nuclear materials and warheads and strengthening the nonproliferation regime. As civil society groups and non-nuclear weapon states have been insisting for many years now, achievement of these objectives in turn requires the United States and other nuclear-armed states to comply with their disarmament obligation under the Nonproliferation Treaty. (see p. 5)

Prosecution of terrorists

Assuming that persons suspected of planning and perpetrating the September 11 attacks, or the embassy bombings or other terrorist incidents, are extradited or apprehended - a major assumption so far as Afghanistan is concerned - there are a raft of treaties and national statutes under which they could be tried, in the United States, other countries, or an international tribunal. Treaties requiring prosecution or extradition to which both the United States and Afghanistan are parties include the 1970 Hague convention on hijacking and the 1971 Montreal convention on unlawful acts against aircraft. Both treaties provide for resolution of disputes by arbitration and the International Court of Justice. International lawyers Francis Boyle and Ann Fagan Ginger, both members of the LCNP board, advocate resort to the ICJ instead of use of force.

To attract support and cooperation of countries in the Middle East, and to advance an international regime on suppression of terrorism, the best approach to trying suspects would be the establishment of an ad hoc tribunal, by the Security Council or interested states, and prosecution under a statute including crimes against humanity as defined in the Rome Statute, the treaty establishing the International Criminal Court. Ad hoc tribunals have been established for Rwanda and the former Yugoslavia. The ICC itself, currently opposed by the Bush administration, cannot be used for this purpose, because the Statute has not yet come into force, and when it does in the next year or two will only apply to crimes committed thereafter.

Under the Rome Statute, murder and other inhumane acts intentionally causing great suffering or serious injury, when committed as part of a widespread or systematic attack against any civilian population in furtherance of a state or *organizational* policy, constitute crimes against humanity. Thus acts committed by members of terrorist groups or networks found to have sufficient longevity and coherence to qualify as an organization could come under the definition.

John Burroughs is the Executive Director of LCNP.

Disarmament Also Needs Coalitions

by Jim Wurst

“Why Bush’s Arms Control ‘Exceptionalism’ Cannot Work” was the title of an article for the *Bombs Away!* issue scrapped after September 11. The premise was that the Bush administration was not unilateralist, but rather “exceptionalist,” an inelegant but more accurate description of how it viewed multilateral negotiations on weapons and other issues such as global warming and the International Criminal Court. Accelerating a trend begun under Clinton, Bush was willing to negotiate so long as any restrictions agreed to did not apply to the United States. It was when its demands were inevitably rejected that Washington walked.

The Bush administration has now discovered multilateralism when it comes to combatting terrorism. But this is a tentative multilateralism, tentative because it is based on what the US can get, not what the US is willing to give. It would be a historic mistake and disservice to the victims of terrorism to utilize multilateralism for anti-terrorism but ignore disarmament since the former can not be fully addressed without the latter.

As Under-Secretary-General for Disarmament Jayantha Dhanapala noted in an interview on UN television a few days after the attack, “We need to be aware of the fact that this situation could have been much worse than it has been. Consider for example if weapons of mass destruction were used by these terrorists. We need to eliminate weapons of mass destruction because they could fall into the hands of terrorists. We don’t want to give terrorists more tools than they have at the moment.”

It seems like some distant past now when the US tied the UN conference on small arms into knots insisting that it must defend against the non-existent threat to the Second Amendment or when Washington turned its back on ten years of negotiations on a verification protocol to the Biological Weapons Convention saying the protocol “would put national security and confidential business information at risk.” (Both occurred in July.) In February, during a UN debate on the proposed international conference to combat terrorism, the US delegate said such a conference would have no practical benefits, adding, “The issues suggested as possible subjects at such a conference had historically confounded a practical solution.”

One right-wing pundit welcomed these moves as rejection of “the notion that there is real safety or benefit from internationally endorsed parchment barriers.” Not surprisingly, Dhanapala takes the opposite view, stressing the importance of international anti-terrorism treaties saying, “Treaties are important because they set norms, and give us - civilized society - the moral right to act in the name of those laws.”

The new test will be whether the Administration’s reconsideration of the utility of alliances in fighting terrorism will extend to disarmament. The initial signs are not encouraging: the September 11 tragedy does not seem to have given the Administration a moment’s pause about pursuing the treaty-busting missile shield. When shield opponents pointed out the obvious - a missile defense system would have been useless against civilian airplanes turned into missiles - proponents said it validated their position. One congressional missile shield booster dismissed the argument saying, “That’s akin to saying we were just hit on the right flank, so let’s not protect the left flank.” Actually it’s akin to saying since your opponent has long-range artillery you should dig a deeper moat.

The moratorium on nuclear testing is the other arms control measure

on the endangered list. Before September 11, the Bush position was awkwardly balanced: no testing but no ratification of the CTBT. Now hawks who have already advocated new nuclear weapons will reframe their campaign for “mini-nukes” and better bunker-busting missiles as part of the anti-terrorism campaign. In some cases, this could increase pressure for a resumption of testing.

Aside from the irrational strategic choices involved, pursuing these weapons campaigns make no fiscal sense. In the coming months, even the Pentagon will have to make choices and spending money on the shield and the infrastructure for new nuclear weapons are diversions from the most important short-term arms control enterprise: the non-proliferation of weapons of mass destruction. Washington needs to rediscover the Nunn-Lugar Cooperative Threat Reduction program to keep Russia nuclear weapons materials under control. Beyond that, a global program to inventory and secure nuclear material and warheads is imperative. Just after the attacks, Ted Turner said at the UN his Nuclear Threat Initiative is “ever more relevant than before” and is looking at ways to revamp it. (In addition, it would be useful to beef up the decaying public health system to better detect and address possible biological or chemical attacks.)

But to be truly effective, nonproliferation has to focus on more than terrorist organizations and address the responsibilities of states, and that means the Nonproliferation Treaty. It has to be said over and over that as long as the nuclear weapons states ignore their Article VI obligations for nuclear disarmament and reject the opinion of the International Court of Justice, a cloud of hypocrisy will hang over any attempts to improve global security. The 13 steps agreed to at the 2000 Review Conference deserve renewed attention. It’s remarkable for a document written under incredible time pressure and with the demands of consensus that its relevance has not been shaken by September 11. For a list of steps, see www.middlepowers.org.

The UN General Assembly’s First Committee, the Conference on Disarmament and other multilateral fora offer the opportunity to forge a multilateral disarmament campaign as thorough as anything envisioned for the anti-terrorism drive. The disarmament obligations of the NPT, an unequivocal commitment to the CTBT, deep (irreversible) cuts in strategic and tactical weapons, dealing nuclear weapons, a fissile materials ban, no-first-use commitments, serious negotiations on the prevention of an arms race in outer space, controls on missiles, and negotiations on the framework for the total elimination of nuclear weapons need to be embraced as parts of the solution, not dismissed as a sideshow.

Jim Wurst is the Program Director of LCNP.

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THE LAWYERS’ COMMITTEE ON
NUCLEAR POLICY NEEDS YOUR SUPPORT!**

**In the present crisis, we need your support more than ever.
Please send your contribution to the address on page 2. If
you’re not already on our mailing list, join it through
www.lcnp.org or write to us.**

In peace, LCNP staff

Reactions to September 11, 2001

In our criticism of the current war fever being nurtured by an unholy alliance of government and media, we should not forget that the attacks were massive crimes against humanity in a technical legal sense, and those involved in carrying them out should be punished to the fullest extent.

Acknowledging this legitimate right of response is by no means equivalent to an endorsement of unlimited force. Indeed, an overreaction may be what the terrorists were seeking to provoke so as to mobilize popular resentment against the United States on a global scale. We need to act effectively, but within a framework of moral and legal restraints.

— from “A Just Response”, *The Nation*, October 8, by Richard Falk, Princeton University and LCNP Board of Directors



The classical cycle of violence, which ensures that wars follow wars, has roughly seven stages: resulting shock and terror, fear and grief, anger, hatred, revenge, retaliation, resulting in a further atrocity and another cycle of violence.

If the west is civilized, its leaders will gather strength and wisdom to contain the emotions of their people at the fourth stage, preventing hatred hardening into another unstoppable cycle. Instead, the next stages can be as follows:

- 1) Gather allies, build coalition, follow the rule of law, bring perpetrators to justice.
- 2) Work with allies, maintain treaties, extend multilateral agreements, isolate terrorism.
- 3) Analyze underlying causes, understand antagonism, act to reduce root causes of antagonism.

— Oxford Research Group, September 19



The attacks were a shattering demonstration that the United States is not set aside from the rest of the world, but a vulnerable part of vulnerable mankind, that our lives are directly affected by the ideas and emotions of people thousands of miles away. For the last century at least, this has been the real situation of our country, but many Americans have fought awareness of it.

— Ambassador Jonathan Dean, Union of Concerned Scientists, September 17



We fear the political and military consequences of this murderous terrorism. We must guard our liberty and not allow fear to restrict our hard-won freedoms. We must not allow the atmosphere of hatred to justify acts of war against unidentified enemies. We cherish the force of law, not the law of force.

While we support and work at healing and holding the mourners in our thoughts, we must consider the problems that lead to this madness: issues of the economic gap between north and south; between the Muslim and the western world; the gap between people of color and white people; and caused by the misallocation of resources with its resulting inequity between funds designated for

health and education and the \$1 trillion allocated world wide for the military. Finally, we must look at the gap between men and women that leaves only men at the tables of negotiation, and make successful efforts to include women at every table where the fate of humanity is at stake.

— Hague Appeal for Peace, September 13



September 13

Dear President Bush,

We are writing on behalf of the Hiroshima Alliance for Nuclear Weapons Abolition to express our condolences for those who died in the tragic terrorist attack on the World Trade Towers and the Pentagon on September 11.

We share your grief and sorrow that so many innocent lives were lost to this violent outburst of hatred. We are concerned, however, about the repeated comparisons of this incident to Pearl Harbor. That attack led very quickly to the hysterical incarceration of Japanese Americans. Ultimately, it led to atomic bombings that devastated not two buildings but two entire cities. We beg you to ensure that no similar hysteria sweeps your nation again.

We are further concerned about the emphasis in your subsequent speech to the nation on America's power and determination to exact revenge. Thus, we are writing to urge you to refrain from reacting in anger and violence. As the most powerful nation on Earth, the United States must not stoop to the level of these terrorists. They are desperate, filled with rage. As you said, the US is strong, strong enough to rise above even this. This tragic man-made disaster must not be the start of a wildly escalating vicious cycle of violence that will bring the whole world down to the level of Israel's West Bank.

We hope this incident will convince you that any effort to protect the US with a missile defense program or space-based weapons will be futile. We must all realize that our enemy is not any group of terrorists. Rather, it is the hatred and rage that move terrorists and burn in all our hearts today. The US should immediately reevaluate its reliance on power and make serious efforts to explore and alleviate misery and hatred throughout the world. Rather than remaining an object of envy and hate, the US must earn the love and respect of an increasingly desperate and interdependent world. Friendship and cooperation are the only means of achieving true and lasting security.

Please be aware that the peace-loving people of Hiroshima stand ready to help you and the United States in any way we can to fight hatred and violence.

Sincerely,

Mitsuo Okamoto Goro Kawai Haruko Moritaki
On behalf of the Hiroshima Alliance for Nuclear Weapons Abolition

**See more reactions
at www.lcnp.org**

Hearing the Hibakusha in Light of September 11

by Anabel Dwyer

"But I think that I have learned one sure way to protect myself from feeling shame or humiliation. And that is to endeavor never to lose sight of the dignity of the people of Hiroshima." Kenzaburo Oe, "The Dignity of Man," Hiroshima Notes, YMCA Press, p.104

The searing relevance of the Hibakushas' stories provided the fulcrum for all events in and around Hiroshima and Nagasaki this year. We Americans can touch only the surface of the pain but are warmly included with unavoidable and pointed challenges to end the mutual terrors of weapons and tactics of mass destruction.

Beyond anger, shame and humiliation

Shigetoshi Iwamatsu, the Chairperson of GENSUIKIN, the Japan Congress Against A and H Bombs, discussed his personal journey at lunch after the Nagasaki Peace Memorial Ceremony.

Mr. Iwamatsu told us of his walk on August 10, 1945, from the munitions factory on the northern end of Nagasaki to his home on the other end of the city: the total devastation, charred corpses of children, his attempts to hide the scene from himself. He felt immediately shame at "failing the emperor" and in despair attempted to commit suicide. Finally Mr. Iwamatsu found the words to write to a group of US newspapers to describe what had actually happened, "beyond any concept of war." He received some sympathetic letters. But the angry responses changed the course of his reflection and action: "Have you forgotten Pearl Harbor? Have you forgotten the Japanese occupation of Korea and China?" He learned that in order for Americans to be able to recognize their wrongs, the Japanese must also recognize theirs and that resolution depends on open and forthright discussion.

Patience, tolerance, calm, communication, action

Tamiko Tomonaga and Sachie Tashima found me in Nagasaki. Last year they had come to Michigan for an August 6th Ceremony of Remembrance at the Michigan State University Chapel and presented the need for a nuclear disarmament resolution to the Lansing City Council. They both work with Hidankyo, the survivors organization to impart some of the reality and to devise actions. Ms. Tomonaga was a young nursing student in Hiroshima August 9, 1945. Nearly all her classmates died. With supplies gone she labored with the many gravely sick and burned. Ms. Tashima was two years old in Nagasaki. Most of her family has died from long and painful cancers. This year we spent an afternoon together struggling with questions. When and how can we tell our grandchildren and children the full stories so we can all gather our

LCNP in Japan

Peter Weiss, Saul Mendlovitz, John Burroughs, Alyn Ware, and Anabel Dwyer all presented papers at an August 1-2 Waseda University/IALANA conference in Tokyo which probed how lawyers can contribute to nuclear disarmament, and attended an August 5 IALANA annual meeting in Hiroshima. The following week Alyn (for GENSUIKYO) and Anabel and John (GENSUIKIN) spoke as guests of Japanese peace organizations at August 6 and 9 commemorative events in Hiroshima and Nagasaki.

courage and humanity for positive and essential changes? What are the struggles for compensation and health care, the details of imparting atrocities beyond the grasp of accurate description? How do we stop our governments from escalating war fevers?

GENSUIKIN'S plans provide a model

The children of Nagasaki are gathering 10,000 signatures for nuclear disarmament to be delivered to the UN. "We will persist in schooling at all levels by use of the new video... We must stop Hoya corporation from providing products to the US NIF, a nuclear weapons development facility. There must be an end to nuclear power and compensation for all Hibakusha including 2d generation and those overseas."

Memorial to the victims

Over lunch in Hiroshima, a group of us talked about the meaning of the words on the Cenotaph in Hiroshima Peace Memorial Park. In English the usual translation is: "Let all the souls here rest in peace. For we shall not repeat the evil." Masa Takubo explained that in the Japanese, the "we" is not designated as it can be and is thus left inclusive, vague or passive. We know who dropped the bombs, of course, but who "shall not repeat" can and must be us all. In addition, the word Japanese word *ayamachi* is not best translated into "evil" which in the Western sense certainly implies an immutable, intractable aspect of human character. Masa Takubo translates *ayamachi* as "mistake," a moral mistake in judgment, not trivial to be sure. As a "mistake" the bombings can be "not repeated", as "evil" the bombings are an inevitable, even likely outcome "justified" by the "evil (rogue, terrorist) other".

Anabel Dwyer is a Michigan lawyer and an LCNP Director.

Conscientious Objection After September 11

by Ann Fagan Ginger

Many young men and women have joined one of the U.S. military services in the past decade in order to solve problems in their own lives. While relatively few white, middle class, college students have gone this route, many young African Americans and youth from poor families have decided to join up in order to have a steady income at a respectable job, with educational and other benefits. None of them ever imagined, as none of us ever imagined, that they would be called upon to participate in the kind of military attacks against terrorists that the Congress has now authorized the President to embark upon.

Many of these young members of the armed services or the reserves are suddenly faced with the realization that they do not want to participate in this war. Some are now reflecting that they really can't participate in killing civilians in the line of fire in the search for terrorists. Each of these members of the services has a right to know about conscientious objector discharges, which they may not remember or did not grasp in quick boot-camp training. And lawyers and others in a position to advise and inform service members of their rights should learn what they are.

For more information, contact Ann Fagan Ginger, executive director, Meiklejohn Civil Liberties Institute, 510 848 0599, fax 510 848 6008, mcli@jgc.org, www.sfsu.edu/~mclifc; PO Box 673, Berkeley, CA 94701-0673. She is also professor of peace studies at San Francisco State University and a member of the LCNP board.

Congress and the Fate of the ABM Treaty

by John Burroughs and Robert Boehm

Despite the devastating demonstration on September 11 of the real security problems faced by the United States, and despite the apparent need for Russian cooperation in bringing to justice the attacks' planners and perpetrators, after September 11 the Bush administration continued its crusade to remove the Anti-Ballistic Missile (ABM) Treaty as an obstacle to testing and deployment of anti-missile systems. Given the highly experimental nature of those systems, the treaty for the present in fact is only a theoretical barrier, but bashing it is the most practical way for missile defense true believers to show their bona fides. On September 17, Undersecretary of State John Bolton went to Moscow to make the US case against the ABM Treaty and for missile defenses once again. Absent Russian agreement to joint withdrawal from the treaty and its replacement with an ill-defined new framework, the administration seems prepared to unilaterally withdraw from the treaty.

Prior to September 11, many Senate Democrats were ready to oppose funding of activities that would violate the ABM Treaty. In a straight party line vote of 13-12 the Armed Services Committee passed a Defense Authorization Bill that included a provision for an expedited congressional vote on whether an activity is permitted if the administration determines that it is in conflict with the requirements of the treaty. But after September 11, Democratic leaders agreed to remove the provision for the sake of national unity. Instead, they say, it will be placed into a separate bill and brought up later. Unfortunately, it will then be more vulnerable to filibuster and veto.

This or a similar approach is warranted (see sidebar). The September 11 atrocities only strengthened the case for adherence to the ABM Treaty. No less than George Bush senior stated that they should "erase the concept in some quarters that America can somehow go it alone in the fight against terrorism or in anything else for that matter." Unilateral US withdrawal from the ABM Treaty would be highly provocative to Russia and China and place heavy strains on US relationships with allies. More fundamentally, spending in the tens or hundreds of billions on missile defense is a diversion from real US security needs, from the suppression of terrorism to the development of a just world order inimical to terrorism.

Nor did the September 11 attacks in any way alter the fundamental problems caused by US pursuit of missile defenses. These include impeding further US-Russian arms reductions; stimulating or reinforcing a Chinese buildup of its arsenal, with attendant ripple effects on India and Pakistan and perhaps even Japan; making dealerting much more difficult to implement; and opening the way to weaponization of space. The above highly foreseeable consequences would cause at least the United States, Russia, and China to be in a state of apparently permanent breach of their Article VI obligation under the Nuclear Nonproliferation Treaty, as interpreted by the International Court of Justice, to pursue in good faith and conclude negotiations on nuclear disarmament in all its aspects. This in turn would seriously erode the capacity of the nonproliferation regime to prevent the spread of nuclear weapons.

Nobody likes the condition of mutual vulnerability to annihilation assumed by the ABM Treaty. The way to get beyond this condition is not to withdraw from the treaty, but rather to proceed expeditiously with reduction, dealerting, and elimination of nuclear forces.

Unilateral US withdrawal from the ABM Treaty would also have negative effects on international and constitutional law. The ABM

The ABM Treaty provides for withdrawal upon six months notice to the other party of "extraordinary events related to the subject matter of this Treaty" that the withdrawing state "regards as having jeopardizing its supreme national interests". Sadly, we have just witnessed extraordinary events, but they have nothing to do with a missile threat.

Treaty provides for withdrawal upon six months notice to the other party of "extraordinary events related to the subject matter of this Treaty" that the withdrawing state "regards as having jeopardizing its supreme national interests". Sadly, we have just witnessed extraordinary events, but they have nothing to do with a missile threat. Should the United States invoke this provision in the manifest absence of any compelling

reason to do so, it would act in a contemptuous manner towards obligations it solemnly assumed, and set a precedent for itself and other states to cite parallel provisions in other important security treaties, among them the NPT, the Biological and Chemical Weapons Conventions, and the Comprehensive Test Ban Treaty.

The US Constitution provides that the Senate give its "advice and consent" to ratification of a treaty. Whether Senate concurrence in termination of a treaty is constitutionally required remains a contested question. The Supreme Court declined to resolve the issue in a 1978 case brought by senators challenging President

How to Defend the ABM Treaty

The United States is out of step with its allies on the ABM Treaty. All the visits of US officials around the world did not make even a dent in their continuing support for the treaty. How can we change the Bush administration's approach here in the United States, and prevent implementation of Star Wars?

While Bush has proclaimed his intention to withdraw from the treaty, in my opinion he cannot do this on his own authority. If ratification of a treaty, according to the Constitution, must have the advice and consent of the Senate, then logically to withdraw from a treaty should also be only with the Senate's advice and consent.

Several approaches could be taken. Congress could refuse to fund activities that would violate the treaty, a strategy now under consideration in the Senate. The Senate could also adopt a resolution recommending that Bush continue US adherence to the ABM Treaty. More effective would be a resolution stating that the Senate does not give its "advice and consent" to withdrawal from the treaty and that such concurrence is constitutionally required.

In my view, the latter resolution should be placed before the Senate at the earliest opportunity. I believe it would be passed or would at least produce a strong minority opinion against Bush's opposition to the treaty and provide a rallying point for all opponents of Star Wars.

— Robert Boehm

Carter's termination of the US-Taiwan mutual defense treaty. But there are good reasons for believing that a Senate and congressional role is appropriate. Surely few would contend that a president could withdraw from major multilateral treaties like the UN Charter or the NPT without congressional support. And as Yale law professor Bruce Ackerman pointed out in a August 29 New York Times op-ed, a president cannot terminate a statute - like treaties, part of the supreme law of the land - absent congressional action, and there is historical precedent for joint congressional-presidential action to terminate treaties.

National unity in time of grief is a good thing. But national unity justifies neither folly nor lawlessness.

MPI: Towards NPT 2005

May 2001 marked the first anniversary of the historic agreement by nuclear-armed states parties to the Non-Proliferation Treaty (NPT) to "an unequivocal undertaking by the nuclear-weapon states to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament." Enshrined in the Review Conference's Final Document, this statement is one of 13 steps "for the systematic and progressive efforts" to achieve nuclear disarmament.

To mark the occasion, to assess the current state of affairs and to develop a short-term strategy to implement the 13 steps, the Middle Powers Initiative (MPI) organized a Strategy Consultation on "Towards NPT 2005: An Action Plan for the 13 Steps" which took place at the UN, April 30 to 1 May 1, 2001. Approximately 50 participants — New Agenda and other governmental officials, UN officials, MPI representatives and other NGOs — attended.

Calling nuclear arms "a progressively lethal virus in the global body politic," Under-Secretary General for Disarmament Affairs, Jayantha Dhanapala, said the challenge for the disarmament community is to advance the "full implementation" of the NPT 13 steps. He noted that in many cases, the prospects are "bleak" for many of the steps, including early entry-into-force of the CTBT and re-energizing the Conference on Disarmament. Dhanapala also noted the "warning signs" of other concerns such as the possibility that some nuclear weapon states are working to develop new weapon systems, in apparent contrast to the NPT's agreement on "a diminishing role for nuclear weapons."

Ambassador Henrik Salander of Sweden, a government in the New Agenda, said that after the NPT decision there was nothing to indicate that the 13 steps would have a life beyond the Conference. When the New Agenda presented its draft resolution in the General Assembly in the autumn of 2000, "our goal was to reinforce the NPT," he said, but it was a gamble because it "exposed the NPT to some risk ...in order to extend the NPT commitments beyond the NPT mechanism itself." The overwhelming support for the resolution (it was adopted 154 to three, with eight abstentions) validated this approach.

Two days of discussions lead to a consolidation of proposals into ten "principal points" to keep in mind in the years leading up to the next NPT Review Conference in 2005. They are to:

- Sharpen the sense of urgency for all 13 Steps
- De-alert strategic nuclear weapons
- Preserve and strengthen the ABM Treaty

A Maginot Line in the Sky

In an excellent new collection of short essays by contributors from around the world, David Krieger prophetically wrote, "In moving ahead with deployment of missile defenses, the US is seeking to build a Maginot Line in the Sky. This line is likely to be no more effective than the French Maginot Line was in defending France in World War II."

David Krieger and Carah Ong, eds., *A Maginot Line in the Sky: International Perspectives on Ballistic Missile Defense* (Santa Barbara: Nuclear Age Peace Foundation, 2001, available at www.wagingpeace.org)

- Link unilateral measures to the treaty process
- Apply the principle of irreversibility
- Address non-strategic nuclear weapons
- Ban nuclear testing and bring CTBT into force
- Inventory all fissile materials
- Require standardized reporting and
- Convene new conferences on nuclear disarmament.

For the full report, see www.middlepowers.org.

Global Action at the UN

A new avenue for promoting Global Action to Prevent War has been pursued since this spring: a series of meetings centered around the United Nations, with the goal of promoting Global Action within the UN system and to government missions based there.

The most UN-related recommendations from the Global Action plan were condensed into a working paper. Those recommendations included the establishment of a professional mediation corps in the UN under the Secretary-General, a Conflict Prevention committee in the General Assembly, a standing UN rapid response peacekeeping force of 10,000 individually recruited persons, a standing civilian police force, and a coordinating committee to oversee the implementation of a worldwide freeze on armed forces and a 25% cut in production and trade of major weapons and small arms.

Monthly meetings drawing in a range of UN-focused NGOs in the peace, disarmament, governance, justice, and development fields followed. Coincidentally, the UN released two relevant reports in June: Secretary-General Kofi Annan's second follow-up report to the Brahimi Report on reforming peace operations (UN Document A/55/977) and "The Prevention of Armed Conflict" (A/55/985-S/2001/574), Annan's response to the Security Council's request of July 2000 to analyze and to propose improvements in the UN's capacities for conflict prevention. The Global Action-related recommendations in these two reports have been at the center of the monthly discussions.

Participants at the meetings were particularly struck by the recommendation in the Conflict Prevention report suggesting that NGOs organize an international conference on "their role in conflict prevention and future interaction with the United Nations." At the July meeting, there was the general sense that NGOs should take up the challenge. Further discussions were postponed due to the September 11 events. It is anticipated a new round of meetings will begin soon.

For more details, see www.lcn.org/global.html.

Small Arms Conference

by Jim Wurst

The United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects concluded on July 21 with a consensus plan of action to curb the damage caused by these weapons but at the cost of conceding nearly every point to the hard-line position of the United States.

In the end, the success of the conference hinged on whether the rest of the participants would accede to the US demands that the Program of Action contain no references to controls on civilian ownership of weapons nor on restrictions on arms transfers to insurgents. The African states, in particular, took an equally firm line in favor of these measures.



Swords into Furniture: An artists' exhibition during the Small Arms Conference featured furniture made from weapons turned in since the end of Mozambique's civil war.

US intransigence so dominated the meeting that the President of the Conference, Ambassador Camilo Reyes of Colombia, took the unusual step of putting his criticism of the US on the public record. He expressed his "disappointment over the conference's inability to agree due to the concerns of one state." Addressing the closing session of the Conference, Reyes said, "The states most afflicted by this global crisis — Africa — had only agreed with the greatest reluctance to the deletion of proposed language addressing these vital issues... All that can be done, has in fact been done."

The majority - the European Union, war-torn Southern countries, Canada, Japan, and the NGOs - had to satisfy themselves with what few commitments there are in the Program to stemming the uncontrolled flow of arms around the world and understanding that they can take their priorities issues and raise them in other fora, such as the First Committee of the UN General Assembly this autumn.

The NGO coalition, the International Action Network on Small Arms (IANSA), took the approach of a glass-half-full-half-empty. While calling the conference "a squandered opportunity," it nevertheless welcomed progress in recognizing the impact of

weapons on women, children and the elderly and in commitments to more effectively control arms in areas of tension. Of particular disappointment to IANSA were the absence of commitments to negotiate treaties on arms brokering or marking and tracing weapons, no reference to protecting human rights, and no commitment to greater transparency in arms transfers.

From the start, it was clear the US was framing its position for the domestic gun lobby. The US began the conference on July 9 laying down "red lines" — concepts Washington would refuse to accept in any final document. These conditions, especially resistance to any mention of controls on civilian possession, had more to do with the gun lobby's agenda than that of the conference.

Finally, the Africans, who had more to lose than the US if the conference ended in failure, agreed delete both paragraphs. Conmany Wesseh, the Director of the Centre for Democratic Empowerment, an NGO in Liberia, said, "I am not concerned about US domestic laws. I would like to encourage the US policy makers that there is something other than the borders of the United States."

There is even less to be optimistic about when looking at the Program from the perspective of Global Action to Prevent War. A hallmark of the Global Action vision is that ending war requires an integrated approach that recognizes that poverty and militarism must be addressed as part of a single problem. The Program of Action from the Small Arms Conference barely acknowledges this, and those who pursued a minimalist agenda — and the US was not alone on this point — aggressively worked to keep the issue of the illicit trade in small arms isolated from the global context of the relationship to the legal trade in arms, underdevelopment, poverty, and human rights.

As IANSA pointed out, the phrase "human rights" does not even appear in the Program. Conflict prevention and post-conflict resolution get passing mention. Countries even had to fight to retain references to "international humanitarian law." The specific Global Action priority dealing with small arms - 25% cuts in nations conventional forces - was immaterial to this conference. Discussions of nations' armed forces were absolutely off limits.

The Program of Action is available at: www.un.org/Depts/dda/CAB/smallarms; see also the IANSA website at www.iansa.org.

Terrorists and Nukes

Gary Milhollin, head of the Washington-based Wisconsin Project on Nuclear Arms Control, foresees "a definite risk" of a nuclear attack by terrorists in the next decade—say by Sept. 11, 2011.

- from the Chicago Tribune, September 24, 2001

"At a bare minimum, tactical nuclear capabilities should be used against the bin Laden camps in the desert of Afghanistan."

*- Thomas Woodrow, former officer at the Defense Intelligence Agency, quoted in Jeffrey St. Clair and Alexander Cockburn, Counterpunch, "Attack Bolsters Nuke Lite Lobby", September 18, 2001
www.counterpunch.org/nukelite.html*

Notable Books

Losing Control - Global Security in the Twenty-First Century
by Paul Rogers, Prof. of Peace Studies, Bradford University
Pluto Press, London and Sterling, VA, 2000
ISBN 0-7453-1679-4 (pb., 176 pp, \$22.50)

In the aftermath of the terrible events of September 11th this book is absolutely essential reading for anyone concerned with developing a coherent view of where the world is heading and what can be done to create the new security paradigm we so desperately need. As Professor of Peace Studies at Bradford University in the UK Paul Rogers has spent years studying and analysing military strategies and global security since the end of World War Two.

He identifies three key underlying trends that are driving the decisions of politicians, diplomats, non-state actors and the military around the world. These are:

- The growing economic disparity between countries and within them
- The increasing pressures of environmental change, particularly global warming
- The spread of weapons of all kinds around the world following the end of the Cold War

The approach of the elites is to try to keep the “lid” on with the threat and use of military force to maintain the “violent peace” but Rogers persuasively argues that this approach will not work. It is tragic that his analysis has been proved correct at the cost of thousands of lives in the USA and potentially many more in rest of the world in times to come. Without the creation of a new security paradigm based on the reversal of the current trends in the global economy, disarmament and sustainable development the world faces a turbulent and violent future. We know now that even the elites are unable to escape this fate.

Packed with fascinating facts and written with great clarity, no activist, analyst or decision-maker should be without this book.
- Janet Bloomfield, Oxford Research Group



Lethal Arrogance:
Human Fallibility and Dangerous Technologies
by Lloyd J. Dumas, Prof. of Political Economy,
University of Texas (Dallas)
St. Martin's Press, New York, 1999
ISBN 0-312-22251-3 (hardcover, 416 pp, \$29.95)

After September 11, 2001, the implications of *Lethal Arrogance* are staggering. As author Lloyd Dumas warns: “Our brilliant technological accomplishments have made us too complacent, too arrogant about our ability to control even the most dangerous technologies we create and permanently avoid disaster.” Dumas’ thesis is that unless we act decisively to eliminate the dangerous technologies that have “spread vast stockpiles of nuclear weapons, radioactive materials, toxic chemicals and the like all over the globe,” we are sowing the seeds of our own destruction through human fallibility and technical failure. *Lethal Arrogance* should be read by every political leader, every military officer, every intelligence operative – and every nuclear power plant operator.

Dumas’ treatment of “Terrorism and Dangerous Technologies” is

thoughtful and astute, providing troubling food for thought. “Calling violent groups ‘terrorists’ when we don’t like their objectives and ‘freedom fighters’ when we do is a political game. It won’t help us understand what terrorism is...or figure out what can be done about it.” And, “Nuclear deterrence, a mainstay of the official security policy of the nuclear weapons states, is itself a form of international terrorism.” Dumas provides valuable insights into the distinctions among terrorists and their possible motivations, warning: “Terrorists have not yet used dangerous technologies to do catastrophic damage, as weapons or as targets. But there is nothing inherent in the nature of terrorism that makes it self-limiting.” Whoever destroyed the World Trade Center on September 11 committed a terrible act of mass destruction and a heinous crime against humanity without using any weapons at all. Yet in recent years the U.S. weapons labs have quietly been developing *more useable* nuclear weapons. The implications are newly terrifying.

“Holocaust by Accident: Inadvertent War with Weapons of Mass Destruction” begins with a mind-boggling inventory of accidents, close calls, false warnings, and failures of verification and communication systems. As Dumas points out: “Crisis increases the chances of accidental war.” He reminds us: “Nuclear weapons have never before been used in a war in which more than one side had deliverable weapons of mass destruction at the ready.” One has only to look at a map to understand the potential nuclear consequences of a U.S.-led “war on terrorism.” Dumas concludes that we will never remove the threat of blundering into cataclysmic war until we eliminate weapons of mass destruction.

“People are clearly much more sure of their ability to judge risks than they should be.”

Dumas chronicles the foibles of human fallibilities – alcohol, drugs, mental illness, stress, brainwashing, and group psychosis (the Manson family, Jonestown) – and explores their ramifications in a world of dangerous technologies and dysfunctional bureaucracies. He reminds us that these human fallibilities apply to our leaders. (Can we trust the President with nuclear weapons?) He examines the lessons of Pearl Harbor, the Korean War, the Cuban Missile Crisis, and Vietnam, and warns of the dangers of “groupthink” (if we all agree, it must be right). He also delves into the vulnerabilities and failures of technical systems. In “Understanding and Assessing Risk,” Dumas makes a centrally important point: “[I]nformation is the essential raw material of analysis and decision making.... Not knowing what will happen makes it hard to know what to do, how to adjust our actions to achieve our goals.... People are clearly much more sure of their ability to judge risks than they should be.”

Lethal Arrogance is an encyclopedic catalogue of truly frightening stories, statistics, and analysis, presented in a surprisingly accessible form, which supplies convincing evidence that, “Given enough time and enough opportunity, *anything that is possible will happen.*” But in the last chapter, Dumas resolutely offers hope for the future. “Ultimately, none of the dangerous technologies we have developed is really beyond our control. We can change them, limit how we use them, even eliminate them entirely. No external force compelled us to create the dangers we now face and no external force will prevent us from getting rid of them.” He delineates four essential steps for our survival: 1) Abolish weapons of mass destruction; 2) Choose new, more effective security strategies; 3) Replace other dangerous technologies with safer alternatives; 4) Face up to the legacy of nuclear and toxic chemical waste.

- Jacqueline Cabasso, Exec. Dir., Western States Legal Foundation
Fall 2001 **Bombs Away!** 

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The crashes that reduced the World Trade Centre to rubble and the two terror-inducing plane crashes elsewhere have cleft our age into two. On the other side of this smoking chasm of blood and bitterness, lies another world. It can be a world in which all the mistakes of the past – global inequality, socio-economic exploitation, lack of international democracy, lack of national democracy and literacy in some nations, prejudice, hatred – all these mistakes are consolidated into a world of greater violence and suffering. Or we may, finally, learn to work towards a world, a very different world, where we will tackle not just the consequences of senseless tragedies but the reasons for them. A world in which we will condemn not only a certain kind of violence, but all violence; a world in which we will love not only our humanity, but all humanity.

Tabish Khair

Copenhagen, September 14

“Where Parallel Lines Meet” collects Khair’s most recent poetry