

## **The Nuclear Question:**

### ***The Church's Teachings and the Current State of Affairs***

Remarks by Archbishop Francis Chullikatt

Kansas City, 1 July 2011

Thank you, Bishop Finn, for the opportunity to join you in the Diocese of Kansas City-St. Joseph, and address a very critical question that has such particular relevance here. The “nuclear question” is at once complex and straightforward: what do we do with the Cold War legacy of thousands of the most destructive weapons humankind has ever created? For more than 60 years since the dawn of the nuclear age, the world, and particularly the Church, has grappled with the role of these weapons, their legality and the moral implications of their production, deployment and intended use.

What I would like to do here is to share how the development of the Church's teachings have advanced over the years and what those teachings say to us today. I will then explore the current status of efforts to address these unique weapons and specifically, the position of the Holy See.

As you all are aware, new attention is being paid to the unresolved problem of 20,000 nuclear weapons located at 111 sites in 14 countries. More than half the population of the world lives in a nuclear-armed country. Each year, nations spend \$100 billion on maintaining and modernizing their nuclear arsenals.

When we are talking about the nuclear disarmament, the principle of **good faith** is vital within international law. Essentially, good faith means abiding by agreements in a manner true to their purposes and working sincerely and cooperatively through negotiations to attain agreed objectives.

Therefore, the current modernization of nuclear forces and their technical infrastructure are contrary to such good faith because they make difficult or impossible a negotiated achievement of global nuclear disarmament.

President Ronald Reagan at his second inaugural address in 1985 said: “We seek the total elimination one day of nuclear weapons from the face of the Earth”. I think it is time to follow through on his goal.

The vastness of this problem has long concerned the Catholic Church. With new efforts now being made to build a global legal ban on nuclear weapons, this is a good moment to review the Church's teaching on weapons of mass destruction.

Catholic teaching on nuclear deterrence is found in the documents of the Second Vatican Council and in subsequent statements by Pope John Paul II and Pope Benedict XVI.

Indeed, we can see that the indiscriminate use and devastating effects of nuclear weapons have led the Church to abhor any **use** of nuclear weapons. In the *Pastoral Constitution on the Church in the Modern World*, the Church's fundamental condemnation of any use of nuclear weapons is stated clearly: "Any act of war aimed indiscriminately at the destruction of entire cities or of extensive areas along with their population is a crime against God and man himself. It merits unequivocal and unhesitating condemnation" (n. 80).

As you well know, the Church's condemnation of any use of nuclear weapons has always been grounded in the Church's respect for life and the dignity of the human person.

Although the Fathers of the Second Vatican Council expressed their desire for a universal prohibition against war, they, with the understanding they had at that time, seemed to have rather reluctantly accepted the strategy of nuclear deterrence. The accumulation of arms, they said, serves "as a deterrent to possible enemy attack."

Pope John Paul II restated the Catholic position on nuclear deterrence in a message to the UN Second Special Session on Disarmament in 1982 at the height of the Cold War nuclear weapons build-up by the United States and the Soviet Union:

In current conditions, '**deterrence**' **based on balance**, certainly not as an end in itself but as **a step along the way towards a progressive disarmament**, may still be judged morally acceptable. Nonetheless, in order to ensure peace, it is indispensable not to be satisfied with the minimum which is always susceptible to the real danger of explosion.

This statement made clear that nuclear deterrence during the Cold War years could only be acceptable if it led to progressive disarmament. What is intended therefore is not nuclear deterrence as a single, permanent policy.

Here lies the central question of deterrence: the Church's moral acceptance of nuclear deterrence was always conditioned on progress toward their elimination.

Deterrence must be an interim measure; it should not be an acceptable long-term basis for peace. Deterrence must be used only as a bridge to provide stability while

nuclear disarmament is pursued, as required under the Nuclear Non-Proliferation Treaty (NPT). Nuclear deterrence is only justified in this limited way, as a means of deterring the use of nuclear weapons by an adversary. Deterrence was never accepted as a means of projecting state power, protecting economic or political interests, nor was it acceptable to use nuclear deterrence as a primary defense strategy to address other security issues or to deter other, non-nuclear threats.

As the Soviet Union disintegrated and the Cold War came to a close, great hope was ignited that the world could move decisively and expeditiously with nuclear disarmament. The Nuclear Nonproliferation Treaty was extended in 1995 and new energy was focused on Article VI, the grand bargain, as it were, which lies at the heart of the NPT. The nations of the world agreed to forgo any development of nuclear weapons in exchange for a commitment from the nuclear-weapon states to eliminate their own arsenals and provide access to nuclear technology for peaceful uses.

The Holy See is party to the Nonproliferation Treaty and remains actively engaged in the Treaty's review process every five years. Unfortunately, rather than pursuing disarmament as they are obligated to do under the Treaty, the nuclear-weapon states engaged in a reinvestment in their nuclear weapons complexes, pouring tens of billions of dollars into new technologies to allow them to continue to design, test and deploy these weapons for the indefinite future. New missions were conceived for their nuclear arsenals and new capabilities and upgrades for their weapons were aggressively pursued.

As the Cold War receded and a new century dawned, the international community continued to press the nuclear-weapon states for concrete movement on fulfilling their obligations to eliminate their nuclear arsenals as called for under the Non-Proliferation Treaty. The Church's efforts in this area increased, and became focused on challenging what we came to see as the **institutionalization of deterrence**. Deterrence was not being considered anymore as an interim measure. Rather, nuclear-weapon states started to pursue nuclear advantage, maintaining that nuclear weapons were fundamental to their security doctrines. Modernization programs were accelerated. Hundreds of billions of dollars were earmarked for these modernization efforts and the fragile barrier between nuclear and conventional arms was obliterated.

In 2005 when the nations of the world gathered to review the Non-Proliferation Treaty, the Treaty itself was on the verge of collapse. Not only were the commitments to disarm under Article VI being ignored, the very concept of nuclear elimination was dismissed out of hand by the nuclear-weapon states. And the Church increased its pressure on the nuclear-weapon states.

The Holy See voiced its growing concern over this situation, for example, at the 2005 Review Conference of the NPT:

When the Holy See expressed its limited acceptance of nuclear deterrence during the Cold War, it was with the clearly stated condition that deterrence was only a step on the way towards progressive nuclear disarmament. The Holy See has never countenanced nuclear deterrence as a permanent measure, nor does it today when it is evident that nuclear deterrence drives the development of ever newer nuclear arms, thus preventing genuine nuclear disarmament.

On his part, Pope Benedict XVI reinforced this position in his address on World Peace Day, 1 January 2006, when he asked:

What can be said, too, about those governments which count on nuclear arms as a means of ensuring the security of their countries? Along with countless persons of good will, one can state that this point of view is not only baneful but also completely fallacious. In a nuclear war there would be no victors, only victims. The truth of peace requires that all —whether those governments which openly or secretly possess nuclear arms, or those planning to acquire them— agree to change their course by clear and firm decisions, and strive for a **progressive and concerted nuclear disarmament**. The resources which would be saved could then be employed in **projects of development capable of benefiting all their people, especially the poor**.

Indeed, experts have estimated that more than \$1 trillion has been spent on developing and maintaining nuclear arsenals. Today, hundreds of billions of additional dollars are being channeled to maintain this scourge. With development needs across the globe far outpacing the resources being devoted to address them, the thought of pouring hundreds of billions of additional dollars into the world's nuclear arsenals is nothing short of sinful. It is the grossest misplacement of priorities and truly constitutes the very "theft from the poor" which the Second Vatican Council condemned so long ago.

Today, more and more people are convinced that nuclear deterrence is not a viable means of providing security. If some nations can continue to claim the right to possess nuclear weapons, then other states will claim that right as well. There can be no privileged position whereby some states can rely on nuclear weapons while simultaneously denying that same right to other states. Such an unbalanced position is unsustainable.

Some 40 nations possess the capacity to weaponize their civilian nuclear programs. Proliferation is a real and serious challenge. However, **nonproliferation efforts will only be effective if they are universal**. The nuclear-weapon states must abide by their obligations to negotiate the total elimination of their own arsenals if they are to have any authenticity in holding the non-nuclear-weapon states to their commitments not to pursue nuclear weapons or if they are to be effective in bringing those last few states who remain outside the NPT to the table of negotiations for the gradual elimination of their nuclear arsenals.

It is now more than two decades since the end of the Cold War. Though nuclear weapons stocks held by the major powers have been reduced, they are still being maintained and modernized, and the prospect of even more proliferation to other countries is growing. We are now witnessing an “extended deterrence” by which non-nuclear countries are put under the protection of a friendly nuclear state. Instead of being a temporary measure during the Cold War, the “doctrine of nuclear deterrence” has become permanent and is used to justify continued nuclear buildup.

When the 2010 Review Conference of the Non-Proliferation Treaty opened, Pope Benedict XVI, who had previously called for “negotiations for a progressive and mutually agreed dismantling of existing nuclear weapons” sent a message asking delegates to “overcome the burdens of history”. He said, “I encourage the initiatives to seek progressive disarmament and the creation of zones free of nuclear weapons, with a view to their complete elimination from the planet”.

From this body of teaching, the Church has made clear its growing abhorrence of nuclear weapons. It is now recognized that they are incompatible with the peace we seek for the 21st century. In the 2001 Comprehensive Nuclear-Test-Ban Treaty (CTBT) Conference, the Holy See Delegation had stated:

The most perilous of all the old Cold War assumptions carried into the new age is the belief that the strategy of nuclear deterrence is essential to a nation’s security. Maintaining nuclear deterrence into the 21st century will not aid but impede peace. Nuclear deterrence prevents genuine nuclear disarmament. It maintains an unacceptable hegemony over non-nuclear development for the poorest half of the world’s population. It is a fundamental obstacle to achieving a new age of global security.

International law and the Church’s Just War principles have always recognized that limitation and proportionality must be respected in warfare. But the very point of a

nuclear weapon is to kill massively; the killing and the poisonous radiation cannot be contained (Hiroshima, Nagasaki, Chernobyl are permanent ominous reminders). The social and economic consequences of nuclear war in a world whose life-support systems are intimately interconnected would be catastrophic.

In the event of a nuclear explosion, the severe physical damage from radiation would be followed by the collapse of food production and distribution and even water supplies. The prospect of widespread starvation would confront huge masses of people. Rampant disease would follow the breakdown in health-care facilities. The entire question of human rights would be up-ended. The right to a social and international order, as set forth in the Universal Declaration of Human Rights, would be completely lost. The structures underpinning international law would be gone. Order would be inverted into disorder.

The Holy See believes that international law is essential to the maintenance of peace among nations. When peace breaks down, international law, setting limits on the conduct of warfare, is essential to the reestablishment of an enduring peace and civilized life at war's end.

In 1996, fifteen years ago this very month, the International Court of Justice issued its landmark decision on the threat or use of nuclear weapons and the obligations of States parties to the NPT. The Court said that negotiations for elimination must be concluded. The Court's decision stated: *"There exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control"*.

The Catholic Church embraced the Court's call for negotiations to eliminate nuclear weapons and, in 1997, in addressing the United Nation's First Committee, the Holy See Delegation put forth the Church's position in the strongest terms:

Nuclear weapons, aptly described as the 'ultimate evil', are still possessed by the most powerful States which refuse to let them go.... If biological weapons, chemical weapons, and now landmines can be done away with, so too can nuclear weapons. No weapon so threatens the longed-for peace of the 21st century as the nuclear. Let not the immensity of this task dissuade us from the efforts needed to free humanity from such a scourge. With the valuable admonition offered in the Advisory Opinion of the International Court of Justice, the international community can now see how the legal and moral arguments against nuclear weapons intertwine with the strategic: since nuclear weapons can destroy

all life on the planet, they imperil all that humanity has ever stood for, and indeed humanity itself...

The work... in calling for negotiations leading to a Nuclear Weapons Convention must be increased. Those nuclear-weapon States resisting such negotiations must be challenged, for, in clinging to their outmoded rationales for nuclear deterrence, they are denying the most ardent aspirations of humanity...

And finally, in that statement, the Holy See Delegation voiced in clearest terms the Church's position on nuclear weapons, "Nuclear weapons are incompatible with the peace we seek for the 21st century. They cannot be justified. They deserve condemnation. The preservation of the Non-Proliferation Treaty demands an unequivocal commitment to their abolition."

Yet the comprehensive negotiations called for by the International Court of Justice have not even started. The bilateral START treaty between the US and Russia only makes small reductions and leaves intact a vast nuclear arsenal on both sides, with many nuclear weapons held on constant alert status.

At last year's Review Conference of the NPT, the UN Secretary-General Ban Ki-moon put forth a **Five-Point Plan** for Nuclear Disarmament, which is worthy of the full support of all nations. He called specifically for a new convention or set of mutually reinforcing instruments to eliminate nuclear weapons, backed by strong verification and has asked that nations start negotiations. "Nuclear disarmament is not a distant, unattainable dream," Mr. Ban said. "It is an urgent necessity here and now. We are determined to achieve it."

The Holy See supports this plan and strongly advocates for transparent, verifiable, global and irreversible nuclear disarmament and for addressing seriously the issues of nuclear strategic arms, the tactical ones and their means of delivery. The Church remains fully engaged in efforts both to stem proliferation and to move forward on negotiating a binding international agreement, or framework of agreements, to eliminate existing arsenals under effective international verification.

The 2010 NPT Review Conference called on "all nuclear-weapon states to undertake concrete disarmament efforts," and also affirmed that "all states need to make special efforts to establish the necessary framework to achieve and maintain a world without nuclear weapons." This responsibility must be taken seriously. Nations which continue to refuse to enter a process of negotiating mutual, assured and verifiable nuclear disarmament are acting irresponsibly.

From its part, also the UN Security Council held summit level meetings devoted to nuclear non-proliferation and disarmament.

The Holy See welcomes such developments regarding nuclear non proliferation and disarmament.

Viewed from a legal, political, security and most of all - moral - perspective, there is no justification today for the continued maintenance of nuclear weapons. This is the moment to begin addressing in a systematic way the legal, political and technical requisites for a nuclear-weapons-free world. For this reason, preparatory work should begin as soon as possible on a **convention or framework agreement leading to the phased elimination of nuclear weapons.**

To accomplish this goal, we must rethink and change our perception of nuclear weapons. It is a fact that no force on earth will be able to protect civilian populations from the explosion of nuclear bombs, which could cause as many as millions of immediate deaths. We must understand the catastrophic humanitarian and environmental consequences of any use of nuclear weapons.

Reports indicate that workers employed by the nuclear weapons industry are exposed to radiation at nuclear weapons production sites across the globe. Hundreds of highly toxic substances are used every day in the production and maintenance of nuclear weapons and their non-nuclear components. Workers suffer from a range of illnesses, many affecting them only years after exposure. People are asking for transparency and guarantee about the safeguards measures. Secrecy surrounding nuclear weapons programs has led to a failure to inform - if not an outright misleading of - workers and civilian populations living in close proximity to nuclear weapons facilities about the dangers their activities pose to human health.

The Holy See cannot countenance this disregard for human life and the health of those most directly and immediately affected by the nuclear weapons enterprise. Provisions must be established to ensure transparency and appropriate safeguards support to workers as well as civilians living in proximity to these facilities to ensure their safety, even as we move expeditiously to a process for dismantling and destroying these unlawful weapons under international supervision. Moreover, the toxic legacy of the nuclear era will continue to pose urgent challenges requiring substantial investments of resources to clean up the heavily contaminated sites that dot the landscapes of every nuclear weapon state.

The need to effectively and transparently address the toxic legacy posed by six decades of nuclear weapons production and maintenance is of the highest priority. The risks involved with even the peaceful use of nuclear technology illustrate the problem. Here I wish to underscore the Holy See's active role in confronting global environmental issues. His Holiness Benedict XVI has personally appealed for environmental justice in defense of creation. Nothing less than the dignity of the human person and the right to a fully human and healthy life are at stake in the global challenge to clean up the environmental damage of the nuclear era.

The recent experience in Fukushima, Japan, has refocused attention on the inherent dangers and indiscriminate nature of radiation.

As a founding Member State of the IAEA, the Holy See participated last week in the IAEA Ministerial Conference which took place in Vienna, Austria. The concerns and observations made there by the Holy See bear repeating.

Is it legitimate to construct or to maintain operational nuclear reactors on territories that are exposed to serious seismic risks? Does nuclear fission technology, or the construction of new atomic power plants, or the continued operation of existing ones exclude human error in its phases of design, normal and emergency operation?

Besides the above questions, there are others concerning political will, technical capacity and necessary finances in order to proceed to the dismantling of old nuclear reactors and the handling of radioactive material or waste. With regard to standards of safety and security, the Holy See asks:

Are States willing to adopt new safety and security standards? If so, who will monitor them? However, one fact remains: without transparency, safety and security cannot be pursued with absolute diligence.

Understanding that enhanced safety standards are only part of the solution, the Holy See also observed that

threats to security come from attitudes and actions hostile to human nature. It is, therefore, on the human level that one must act – on the cultural and ethical level.... What is absolutely necessary are programs of formation for the diffusion of a “culture of safety and security” both in the nuclear sector and in the public conscience in general.... Security depends upon the State, but also on the sense of responsibility of each person....

As a result of the nuclear crisis in Fukushima, one point emerges with ever greater clarity. A shared and co-responsible management of nuclear research and safety and security, of energy and water supplies and of the environmental protection of the planet call for one or more international authorities with true and effective powers.

The nuclear sector can represent a great opportunity for the future. This explains the “nuclear renaissance” at the world level. This renaissance seems to offer horizons of development and prosperity. At the same time, it could be reduced to an illusion without a “cultural and moral renaissance.” Energy policies are to be viewed in the perspective of the “integral development of the human being” (*Declaration on the Right to Development* of 1986, 5), which includes not only material development, but, above all, the cultural and moral development of each and every person and of all peoples. All are involved in this ambitious and indispensable project, both inside and outside of the nuclear and energy sector, both in the public and private sector, and both on a governmental and non-governmental level. In this way, a common commitment to security and peace will lead not only to a just distribution of the earth’s resources, but above all to the building of a “social and international order in which the rights and freedoms” (*Universal Declaration of Human Rights*, 28) of all human persons can be fully realized.

As terrible as the Fukushima disaster has been - let us not forget what happened in Chernobyl in 1986 - its impact would be dwarfed by the effects of a nuclear weapon explosion. Perhaps it is also because of this Germany decided just recently to close all of its nuclear reactors by 2022. So, the Church’s condemnation of any use of nuclear weapons remains as unequivocal today as it was nearly 50 years ago when the Second Vatican Council expressed that condemnation so clearly.

International law governing the conduct of warfare is known as the law of armed conflict. More recently, it is referred to as “international humanitarian law.” This recognizes the purpose of protecting civilians from the effects of warfare, and also protecting combatants from unnecessary and cruel suffering. The Church’s unequivocal commitment to the dignity of the human person lies at the very heart of its commitment to international law.

The simple truth about the use of nuclear weapons is that, being weapons of mass destruction by their very nature, they cannot comply with fundamental rules of international **humanitarian law** forbidding the infliction of indiscriminate and

disproportionate harm. Nor can their use meet the rigorous standards of the Just War principles' moral assessment of the use of force.

Both Just War principles and international humanitarian law prohibit the use of means of attack incapable of distinguishing between military objectives and civilians or civilian property. In this regard, it is appropriate to recall what the International Court of Justice has to say about it: "states must never make civilians the object of attack and must consequently never use weapons that are incapable of distinguishing between civilian and military targets."

Your 40<sup>th</sup> president asked: "Is there either logic or morality in believing that if one side threatens to kill tens of millions of our people, our only recourse is to threaten killing tens of millions of theirs?" So, even President Regan considered the strategy of deterrence to be in need of being replaced by a more permanent solution.

The threat as well as the use of nuclear weapons is barred by law. It is unlawful to threaten an attack if the attack itself would be unlawful. This rule makes unlawful specific signals of intent to use nuclear weapons if demands are not met. It also makes unlawful general policies of so-called deterrence declaring a readiness to resort to nuclear weapons when vital interests are at stake.

The unlawfulness of the threat and use of nuclear weapons calls into serious question the lawfulness of the possession of nuclear weapons. The Nuclear Non-Proliferation Treaty prohibits acquisition of nuclear weapons by the vast majority of states. In conformity with the good faith principle, it cannot be lawful to continue indefinitely to possess weapons which are unlawful to use or threaten to use, or are already banned for most states, and are subject to an obligation of elimination. Countries must abide by agreements to "pursue negotiations on... a treaty on general and complete disarmament under strict and effective international control" (NPT, Art. VI).

The Holy See supports this gathering body of work and calls for more stringent attention to the urgency of implementing a well-founded comprehensive approach to eliminating nuclear weapons. For far too long, nuclear weapons have threatened humanity and there has not been sufficient political will toward removing this scourge. Now is the time for a profound rethinking and change in our perception of nuclear weapons. Nuclear disarmament and non-proliferation are essential from a humanitarian point of view. That is why the Holy See welcomed the clear statement made in the Final Document of the 2010 NPT Review conference which stated:

The conference expresses its deep concern at the catastrophic humanitarian consequences of any use of nuclear weapons, and reaffirms the need for all States at all times to comply with applicable international law, including international humanitarian law.

This principle lays the groundwork for a possible outlawing of nuclear weapons. The international community is now challenged to ensure that every step on the non-proliferation and disarmament agenda is geared toward ensuring the security and survival of humanity and built on principles of the preeminent and inherent value of human dignity and the centrality of the human person, which constitute the basis of international humanitarian law.

The Holy See delegation articulated this very sentiment at the 2009 Deterrence Symposium organized by the U.S. Strategic Command in Omaha, Nebraska. There the Delegation stated that:

In Catholic teaching, the task is not to make the world safer through the threat of nuclear weapons, but rather to make the world safer from nuclear weapons through mutual and verifiable nuclear disarmament... The moral end is clear: a world free of the threat of nuclear weapons. This goal should guide our efforts. Every nuclear weapons system and every nuclear weapons policy should be judged by the ultimate goal of protecting human life and dignity and the related goal of ridding the world of these weapons in mutually verifiable ways.

It is becoming ever clearer that nuclear disarmament must be addressed from a comprehensive approach. Despite steps for decades, we still have a profusion of nuclear weapons. The Holy See believes there needs to be a binding together of steps into a coherent commitment to eliminate nuclear weapons in clearly defined phases for an incremental disarmament. Only the expression of a visible intent to construct a global legal basis for the systematic elimination of all nuclear weapons will suffice. It cannot be considered morally sufficient to draw down the stocks of superfluous nuclear weapons while modernizing nuclear arsenals and investing vast sums to ensure their future production and maintenance. This current course will ensure the perpetuation of these weapons indefinitely.

The Holy See therefore welcomes the new dialogue starting on a Nuclear Weapons Convention or framework of instruments to accomplish nuclear disarmament. At the 2010 NPT Review Conference, the Holy See Delegation stated:

The world has arrived at an opportune moment to begin addressing in a systematic way the legal, political and technical requisites for a nuclear-weapons-free world. For this reason, preparatory work should begin as soon as possible on a convention or framework agreement leading to the phased elimination of nuclear weapons.

A critical component of any framework to eliminate nuclear weapons is an immediate ban on the testing of new weapons. For decades the international community has struggled to institute a legal ban on all forms of nuclear weapons test explosions. In this regard, the Holy See continues to call upon all non signatory States to ratify without delay the Comprehensive Nuclear Test Ban Treaty for its earliest entry into force. Its passage and entry into force remains a commitment made by the nuclear-weapon states at the 2000 Review Conference of the NPT that would most clearly signify their willingness to forgo the development of new nuclear weapons. The international community views the CTBT not as an end in itself but as a concrete signal by the nuclear-weapon states that they intend to fulfill their international commitments and take seriously the global demand to end the nuclear arms race and begin negotiations to eliminate these weapons.

In closing, I think it is appropriate to restate the position of the Holy See expressed back in 1997, that *“If biological weapons, chemical weapons, and now landmines can be done away with, so too can nuclear weapons.”* This is the challenge before the international community today. It is the challenge before the Church today, and it is the challenge facing all people of goodwill today, believers and non believers alike.

As someone wrote, in the 18<sup>th</sup> and 19<sup>th</sup> centuries individuals fought for the abolition of slavery because they understood that every human being has the God-given right to live in freedom and dignity. In the end, slavery was brought to an end. In today’s world, we confront an issue of even greater importance: the possible annihilation of human species and human civilization by nuclear explosion. So, together we should work to build a world free of nuclear weapons. A world without nuclear weapons is not only possible, it has now become urgent.

Thank you and God bless you all!

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