

Excellencies, Distinguished Delegates, Ladies and Gentlemen,

Thank you for giving me this opportunity to discuss the ethics and morals of nuclear weapons. We just heard four experts lay out today's international legal landscape on the matter. In that landscape, very little room is seemingly left for nuclear weapons to be used or threatened without violating at least some existing rules. Unlike biological and chemical weapons, however, the law itself does not appear to address the legality of nuclear weapons *as such*. It is as though we can strangulate this beast from all directions, but not quite strike directly at its heart.

Why is that?

It would be too easy to blame international law or its technicalities for this. Law stands on hollow ground where a solid moral conviction is absent. On the contrary, a gap in law is often just a mirror through which we are impelled to gaze into our own ambivalent souls. And so it is the case with nuclear weapons.

We would ask ourselves: Given the horrendous suffering that nuclear weapons inflict, could their threat or use nevertheless be justified on account of some greater good that it might serve?

We are already familiar with the two main arguments that are built around the weapons' contested utility. One position insists that nuclear weapons should be allowed, if reluctantly, insofar as they enhance international peace and security. It is said, for example, that Hiroshima and Nagasaki hastened the end of World War II. Since then, the threat of mutually assured destruction has ensured that there be no war between nuclear-armed states – nor, for that matter, even between those under their umbrellas. Meanwhile, unilaterally abandoning one's nuclear arsenal would only have a destabilising effect. It would leave the disarmed power vulnerable *vis-à-vis* its adversary that is still armed with nuclear weapons. Perversely, it would also tempt the newly exposed umbrella states to go nuclear themselves.

Opponents counter that nuclear weapons should be banned because they endanger international peace and security. Recent scholarship suggests that it is the Soviet Union's late entry into the Pacific Theatre, not the two nuclear strikes, that prompted Japan to surrender. Nuclear deterrence may have worked between major blocs, but it clearly failed to deter proxy wars elsewhere. Moreover, the effectiveness of such deterrence and the danger of its absence are both exaggerated. Even with the best and the most prudent of intentions amongst nuclear-armed states, risks of accidents and inadvertent escalations cannot be ruled out.

For a very long time, these two positions that I just described have captured – and imprisoned – our moral imagination on the subject. To be fair, they do invoke highly intuitive notions of probability, risk and efficacy. Whether for or against nuclear weapons, both views are built on an ethics of outcome that asks whether the end justifies the means. We can immediately appreciate what is at stake, what we stand to gain and lose.

This moral clarity and simplicity comes at a price, however. Consequentialist claims such as these are fundamentally limited by the fact that we cannot verify them. Both positions ask us to imagine what the world would have looked like, if only one bloc had had nuclear capabilities, or if deterrence had spiralled out of control. And yet, we can neither prove nor disprove the less desirable, counterfactual outcome against which each camp asserts its moral superiority. The same goes – although, perhaps, somewhat less acutely – for the alternative futures that they portray.

True, these theories continuously refine themselves by incorporating hypothetical scenarios, variables, nuances and caveats. Nevertheless, both the deterrence and escalation theories ultimately entrench our thoughts into a fruitless and paralysing stalemate.

The Just War Theory shields itself from this conundrum, at least to some extent. It does so, by combining proportionality, necessity and discrimination – which are all requirements that rely on the outcome as their benchmark – with independent restraints such as just cause, competent authority and right intention.

Alas, the Just War Theory collapses where it matters most. Put simply, it concedes the possibility that even a great deal of evil may need to be endured for a greatly important, legitimate aim. Faced with an existential peril, responsible leaders of an organised political community may

conclude that they have no choice but to threaten or even use the nuclear weapons, if such weapons are at their disposal. “These weapons,” laments one prominent philosopher, “explode the theory of just war.” He continues: “They are the first of mankind’s technological innovations that are simply not encompassable within the familiar moral world.”

Do we have an alternative to all this?

There is a mode of ethical reasoning known as deontology. Deontology considers the intrinsic moral status of an act, rather than the moral status of its consequences. On this view, certain behaviour is wrongful *per se*. Crucially, it remains inherently wrongful, however likely it may otherwise be to achieve desired goals, or no matter how weighty such goals may otherwise be. This reasoning asserts that the end in itself need not – indeed, it does not – justify the means. Rather, the means must be defended independently, on its own terms. Deontology promises to deliver us from the outcome-driven impasse towards an ethics of conduct.

Let us, then, approach the threat or use of nuclear weapons from a strictly conduct-focused point of view. Could we say that these weapons are of such a brutal nature, so utterly abominable, that they ought to be categorically banned, whatever their utility?

If successful, such an argument could prove quite formidable. It could alter the very structure of our discourse. For one thing, those who advocate the weapons’ moral acceptability would have to respond with a deontological argument of their own. It is they who carry the onus to show that nuclear weapons are not so terrible after all. For another, one can resolutely challenge, as a mere deflection, any attempt at steering our debate back to the more familiar, consequentialist terrain. Cross-speech of this kind may now be exposed for what it is, and dealt with accordingly.

Re-calibrating the way we argue about nuclear weapons will be neither easy nor swift. With so much at stake, even the staunchest advocate of a nuclear weapons ban may find it difficult to keep deontology and consequentialism neatly apart in his or her own mind.

Such a shift in our moral attitude, however, is not without precedent.

Our condemnation of torture is a case in point. Despite the sporadic objections on account of the so-called “ticking bomb” scenario, most of us now agree that torture is a moral wrong in itself, and that under no circumstances do outcome-based claims ever justify it. Importantly, torture’s inherent immorality remains the same, even if it happens to “work” in this or that particular situation. We reject torture because it robs its victims, who are still fellow human beings, of their very human quality by reducing them to the status of mere instruments for the benefit of the rest of us.

In other words, we hold that even effective torture is too cruel to tolerate. But then, if that is so, why not hold that even that suffering threatened or occasioned by nuclear weapons, which is supposedly “necessary,” is still too cruel to tolerate? And, if that is so, arguably, we may even eliminate the standard of “superfluous injury or unnecessary suffering,” by which today’s international humanitarian law continues to guide itself when dealing with nuclear weapons.

Admittedly, our condemnation of torture did not happen overnight. On the contrary, it has evolved gradually and intricately. In medieval times, torture was accepted as an unpleasant yet necessary tool of justice and state power. Statecraft’s subsequent sophistication rendered torture less indispensable. Meanwhile, Enlightenment progressivism embraced human dignity as its centrepiece. Only then did a truly robust moral case against torture gather momentum. And only then did it eventually found torture’s unqualified prohibition that we now take as self-evident.

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We no longer live in an era when humankind felt compelled to take itself hostage for its own survival. The long shadow of a total, instantaneous annihilation that once stifled our moral creativity is slowly dissipating.

This also makes today an opportune moment to start taking our debate about nuclear weapons into a direction where the morally relevant suffering is suffering *per se*, rather than suffering that is necessary or unnecessary for this or that purpose. These weapons’ humanitarian impact, a theme on

which we have already invested a tremendous amount of interest and now possess a growing body of information, would make a fitting point of departure in this endeavour.

I thank you for your kind attention.