

A NEW INTERNATIONAL ORDER
FOR THE NUCLEAR AGE*

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I. The Old International Order as International Disorder of Genocide

1. What is Genocide ?

The most precious right for a human being is the right to "life," without which all other rights and all other values are meaningless. Every human being has the right to enjoy a meaningful life in liberty and happiness, and to complete the natural span of life, which is given to each of us once and once only. Accordingly, nothing is so serious a crime as the violation of the "right to life," i.e., murder. A person guilty of murder is charged with the gravest crime under criminal law and subjected to a heavy penalty.

In the history of humankind, however, when committed in the name of an aggressive "state," such murders are called "war," and those responsible are praised and awarded the highest honors of the "state"; the greater the number of foes killed, the higher the honor. Indeed, the history of humankind could be called the history of successive blood sacrifices of working and oppressed peoples, killed in such "wars," the victims of mass murder.

Since the beginning of this century, especially with the rise of fascism, such mass murders have been deliberately and intentionally expanded to the civilian population, with the massive destruction of a total area, or of a minority, a race, or a nation of a political or religious creed, forcing many to become refugees. These events led to the coining of the new word, "genocide." Through to the end of World War II we witnessed many forms of inhuman genocide, including the Japanese imperialist crime of genocide committed on Koreans, Chinese, Vietnamese and other Asian peoples; the Nazi crime of genocide against the Jews, the Poles, the Soviets and other European peoples; Stalin's crime of "mass liquidation" of his own people; the carpet bombing of such cities as Coventry, Hamburg, Dresden and Tokyo;

and the U.S. nuclear genocidal destruction of the people of Hiroshima and Nagasaki, and others.

One of the most important purposes that led to the formation of the United Nations was the desire to end forever all forms of genocide anywhere on earth. Therefore, the General Assembly of the UN, on 11 December 1946, resolved that “genocide is a crime under international law which the civilized world condemns, and for the commission of which principals and accomplices – whether private individuals, public officials or statesmen, and whether the crime is committed on religious, racial, political or any other grounds – are punishable.” Two years later, on 9 December 1948, the General Assembly adopted a “Convention on Genocide” and defined the crime of genocide as follows: “genocide means any of the following acts committed with *intent* to destroy, *in whole or in part*, a national, ethnical, racial or religious group, such as:

- (a) Killing members of the group;
- (b) *Causing serious bodily or mental harm* to members of the group;
- (c) *Deliberately inflicting on the group conditions of life* calculated to bring about *its physical destruction in whole or in part*;
- (d) Imposing measures intended to *prevent births* within the group;
- (e) Forcibly transferring children of the group to another group.

The following acts shall be punishable:

- (a) Genocide;
- (b) *Conspiracy* to commit genocide;
- (c) *Direct and public incitement* to commit genocide;
- (d) *Attempt* to commit genocide;
- (e) *Complicity* in genocide.” (Writer’s emphasis; implication to be considered later.)

2. *A Series of Genocide Crimes since World War II*

As seen from the citation, the crime of genocide is clearly defined from the standpoint of international law. After this “Convention” was adopted, however, it was deliberately ignored and challenged, and a series of genocidal crimes, even with help of nuclear, bacteriological and chemical

weapons, have been committed. Among the most serious of these the following can be mentioned: U.S. genocidal operations in Korea, Vietnam, Laos and Cambodia¹⁾ as well as the Pol Pot massacres that liquidated about 3 million Cambodians.²⁾ As little known but still serious ones we have to add the following: the massacre of 120,000 Hutu people in Rwanda and Burundi (1962–1972), 1 million Ibos in Nigeria (1966–1967), 3 million in Bangladesh (1971), inhabitants of East Timor (1975–1978), and others.³⁾

Generally speaking, Auschwitz is considered to be a symbol of genocide. It is true that we must forever denounce Nazi-fascism for the crime of genocide against the Jews, a crime that must be seen as committed not only against those victims but also against the whole human race and civilization. But a common concept was formed from those crimes, that it was only the Jews who were made victims of genocide; and that the Israeli leaders themselves are not guilty of this same crime. For example, in Leo Kuper's book *Genocide*, in itself an excellent and informative record, no mention is made of the Israeli leaders' crime of genocide against the Palestinians. As a matter of fact, however, the foundation of Israel itself⁴⁾ on 14 May 1948 was made possible by the horrors of genocide, one such case being the wiping out of the Arab village of Deir Yassim by the Irgun on 9 April that same year. Since then the history of Israel has been a tragic history of genocide and aggression committed against the Palestinian and other Arab peoples. Lebanon in 1982 will be remembered forever as the worst crime of Israeli genocide. If we apply the cited definition of genocide, Israeli crimes can be summarized as follows:

- (a) Massive killing of members of the Palestinian refugees and Lebanese residents by the indiscriminate use of antipersonnel white phosphorus bombs and cluster bombs in the attacks on Beirut, followed by the massacres in the refugee camps of Sabra and Chatila;
- (b) Causing serious bodily or mental harm to members of the Palestinian refugees in annexed and occupied territories, by capturing, jailing and torturing them;
- (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part, by

blockading Beirut, other cities, villages and refugee camps;

- (d) As a result, imposing measures intended to prevent births among the Palestinians;
- (e) Forcibly transferring children of the Palestinians to other groups, making them refugees; massacring them or forcing them to starve to death.

It is truly regrettable to know that even the very victims of Nazi genocide, in a different situation, could commit the crime of genocide against other peoples. There is no doubt that such crimes could happen only in the framework of the old international order.

3. *Genocide Committed by "Structural Violence"*

The series of genocides I have mentioned might be called crimes committed by what Prof. J. Galtung called "direct violence." But the definition of genocide cited above does not limit the forms of genocide to "direct violence."

As is well known, developing countries of the Third World have been burdened with disasters caused by the colonialism of many years. Green lands have become deserts, forests lost, sea, air and soil polluted, populations decimated, suffering food and water shortages, resources wasted, economic and political pressure from multinationals, military interventions by colonial masters and so on. The result has been increased hunger and poverty in such countries. According to a World Bank report, people living in "absolute poverty" in the Third World now total about 750 millions. Most of them are never free from hunger and are threatened with early death.

Is this not a form of genocide? This widespread hunger and death is the result of exploitation by the multinationals, added to colonialist, racist and military domination. All know very well that such a structure must lead to mass starvation, but it has been deliberately maintained as a means of earning colossal profits. Such a system should surely be called a form of genocide committed by what Prof. Galtung called "structural violence."⁵⁾

4. *Threat of Nuclear Genocide*

Last but not least, in this nuclear age we are compelled to pay much attention to the threat of nuclear genocide. In my earlier paper “The Philosophy of History in the Nuclear Age,” which was submitted to the UNU Symposium on “The Geo-cultural Visions of the World” at Cambridge on 29 March–2 April, 1982, I said, “the damage” caused by the first atomic bombing, that is, the first nuclear war, was not then and is not now limited *in time and space*. It actually had the inevitable result of bringing about the on-going nuclear arms race. So, the “damage” of that event continues to expand to *all corners of the globe*, producing *many genres of hibakusha* (atomic victims) among individuals, nations and humanity as a whole. In my opinion, genres of hibakusha can be classified into the following:

i. Hibakusha (Atomic Bombed)

- (a) Dead victims of Hiroshima and Nagasaki – not only Japanese citizens, but also Korean, Chinese and other Asians who had been forced to immigrate to work in Hiroshima and Nagasaki, as well as US, British, and Dutch and other POWs there;
- (b) Living victims who survived the nuclear hell – not only upwards of 400,000 Japanese hibakusha, but also Korean and other Asian hibakusha, as well as about 1,000 Japanese-American or Japanese-Canadian hibakusha who have since emigrated to North America;
- (c) Hibakusha of the 2nd and 3rd generations;

ii. Hibakusha (Atomic Radiated)

- (a) US and British atomic soldiers who were ordered into Hiroshima and Nagasaki to dispose of nuclear waste, and later found to be suffering from atomic diseases;
- (b) Japanese fishermen as well as Pacific and American residents directly affected by the atomic radiation of the ashes of death produced and diffused from the Pacific nuclear tests. There must also be such hibakusha in the Soviet Union, China and other nuclear power countries.
- (c) Atomic soldiers who participated in nuclear tests. In the US the number of such victims is estimated at between 250,000 and 500,000. There must be similar hibakusha soldiers in the Soviet

Union, China and other nuclear states;

- (d) Atomic workers affected by radiation in mining uranium as well as in refining uranium and plutonium;
- (e) Atomic workers exposed to radiation in nuclear power plants;
- (f) Stillborn atomic babies who have died because of radioactive fallout from nuclear tests and plants;

iii. Hibakusha (Atomic Threatened)

- (a) All human beings who have been forced to absorb into their bodies, more or less, the ashes of death produced and diffused by nuclear tests and industry;
- (b) All human beings who have been and are threatened by nuclear blackmail and possible nuclear war.⁶⁾

We all are now hibakusha. Does this not amount to genocide? It is the most terrible and serious genocide in human history. Nuclear genocide is quite new in both qualitative and quantitative ways from other forms of genocide. It is from this that such new words as "biocide," "ecocide," "futurecide," and "omnicide" have been coined.⁷⁾ Nuclear omnicide is the destruction of all nations, all humankind, all forms of culture as well as all forms of life.

In this age, all big nuclear powers have the destructive capacity to extinguish all forms of life and culture on the earth. Do they not intentionally or unintentionally continue to threaten humanity by the nuclear arms race and blackmail strategy, causing serious physical and spiritual harm to the whole human race, burdening their conditions of life, and preventing the birth of children? Haven't they committed the crimes of conspiracy, direct and public incitement, and threatened or been implicated in the commission of nuclear genocide by their plotting of nuclear weapons strategies? Have not the leading circles of the Western nuclear powers and their allies consistently and stubbornly resisted resolutions adopted by the General Assembly of the UN, demanding prohibition of the use of nuclear weapons? In the light of the "Convention on Genocide," we have cited, it would be difficult indeed to exonerate them from the crime of genocide.

5. *The Old International Order as International Disorder of Genocide*

Since the formation of the old international order, which originated in the age of colonialism and absolutism, genocide has always been committed or threatened to be committed against oppressed peoples. This was nothing less than an international disorder of genocide. This disorder has not weakened; it has even been intensified in this age of imperialism. From this age, history has witnessed tremendous technical progress, but its greatest application has been in advancing the techniques of genocide. We have seen and are seeing many forms of direct and structural genocide, which have been and are being committed in conventional wars, suppressions, blockading, apartheid, concentration camps, organized exploitation and hunger, and last but not least in the strategy of nuclear disaster and blackmail, and in the very nuclear industry itself. Nuclear genocide, that is, nuclear omnicide, is at the top of the pyramid of all forms of genocide. No part of the human race is free from the huge gloomy pall of genocide, hanging over us all from the old international order itself.

II. *Redefinition of National Sovereign Rights as a Precondition of the New International Order*

1. *A New International Order of the Nuclear Age*

As I see it, the topic "The Making of a New International Order" should be understood as "The Making of a New International Order *in the Nuclear Age*." More correctly, it should be interpreted as "making the New International Order *under the Threat of Nuclear and Non-nuclear Genocide*." As long as we are living under this threat, we can never expect to see the NIO successfully created. It can be formed only by persistent and all-round struggles against all forms of genocide, the struggle for human survival.

Then, what should be done? Einstein once said: "If mankind is to survive, then we need *a completely new way of thinking*." Also, the 33rd General Assembly of the UN, on 14 December, 1978, adopted a resolution entitled "*New Philosophy on Disarmament*," and asked the Secretary General to submit the comprehensive theory on this philosophy to the next General

Assembly. Since then, I have continued to ask myself: What is “a completely new way of thinking”? I am sorry I will not have time to discuss these questions in detail,⁸⁾ but it is clear that in order to form the NIO we need “a completely new way of thinking” in understanding the concept of national sovereign rights.

2. Recognition of National Sovereign Rights

Needless to say, the NIO can not be formed without full and equal participation of all nation states. In this, all nations, big and small, should be equal and free, and should be entitled to decide their own affairs for themselves. This task is related to two new tasks. First, how can existing military blocs – especially, NATO and the Warsaw Pact Treaty Organization, and the Japan-US Security Treaty – be scrapped? Not only Western countries should be guaranteed the national sovereign right to be free from the respective military blocs headed by the big nuclear powers. The system of “spheres of influence” should be given up, and the idea of nuclear-free zones as well as non-alignment should be encouraged, implemented, and expanded to cover all countries, East and West. Second, how can the existing principles and machinery of the UN, which gives the five nuclear big powers the exclusive right of veto, be democratically renovated on the principle of equality of nations? Here, the point at issue is challenging and overcoming nuclear big power centralism in the international order.

3. Restriction of National Sovereign Rights in the NIO

On the one hand, national sovereign rights should be recognized, but at the same time, some of these rights will need to be restricted. One of such national sovereign rights is the right to declare or launch war. From the standpoint of both international and internal law, there is no doubt that this right belongs to a *national state* only in a war of self-defense, but not to be exercised by a president, a prime minister or a defense minister, acting as the state’s executive. For example, the Constitution of the United States stipulates: “The Congress shall have the power...to declare war.” This unmistakably defines the President only as the commander-in-chief, but with

no power to declare or initiate war. In spite of this, US President Polk in 1846 ignored the Congress and deliberately initiated the aggressive war against Mexico and thus forced many people to their deaths on the battlefield. This is why Abraham Lincoln so strongly condemned the arbitrary commencement of a war by the President without consulting Congress as "the most oppressive of all kingly oppressions."⁹ But even after Lincoln, a number of US wars were initiated by Presidents in violation of the Constitution of the US, and numberless Asian people as well as US soldiers were murdered in Korea, Vietnam, Laos and Cambodia. Nothing is so serious a crime as the despotism of a president-initiated war. This must also be applied to wars initiated by a prime minister, a defence minister, or the general secretary of a party. In addition, in our times, even the above cited stipulation of the Constitution of the US has become outmoded. How is it morally and juridically justified for the members of the US Congress to initiate and declare war, involving as it does nuclear as well as non-nuclear genocide, without consulting its own citizens, or the people of a potential enemy country? Who, or what machinery, in what capacity, could legally and morally initiate a war of genocide or a military intervention, such as in the case of Israeli aggression against Lebanon, the war over the Falklands, Soviet intervention in Afghanistan, the Iran-Iraq war and other military confrontations? These questions cannot but lead us to reconsider the hitherto accepted concept of the national sovereign right to the declaration of war. In my opinion, it has become obsolete and should be renounced as a precondition of the creation of the NIO.

The old international order, as the genocidal order of "structural violence," will also have to be scrapped, and some of our other national sovereign rights will have to be restricted. For example, what government is entitled to place an embargo on the export of foods, medicines and other necessities of life to a country of starving and under-nourished people? Some national sovereign rights, formed to keep and maintain the "structural violence," will have to be surrendered in the NIO.

As to the threat of nuclear genocide, not only the national sovereign right to initiate a nuclear war, but also the right to produce, test and possess

nuclear weapons must be restricted, because such a “right,” crossing national boundaries, is a threat to the sovereign rights of other nations, and threatens to create new hibakusha, not only among its own people but also in other nations and all humankind. Further, as we take the road to nuclear disarmament and human survival, many new questions must inevitably be asked in connection with the possible restriction of certain national sovereign rights. Let me mention a few such questions:

- (1) How to scrap nuclear weapons under strict international inspection? Specifically, how to control and deal with the uranium and plutonium that will have to be extracted from the vast number of nuclear weapons?
- (2) How, under strict international inspection, to control and treat radioactive wastes produced in existing nuclear power plants? These questions cannot but be related to the reconsideration or redefinition of national sovereignty in the nuclear age.

In this connection, I would like to stress the pioneering significance of the Constitution of Japan for the making of the NIO. It reads:

“We, the Japanese people...resolved that never again shall we be visited with the horrors of war through the action of government.”

“Aspiring sincerely to an international peace based on justice and order, the Japanese people forever renounce war as a sovereign right of the nation and the threat or use of force as means of settling international disputes.”

Isn't this a declaration of unilateral disarmament as well as unilateral renunciation of war as a national sovereign right? Unfortunately, this epoch-making declaration of human rights has been ignored and trampled on by the Japanese government, which has continued to maintain the Japan-US Security Treaty and to revive and strengthen Japanese militarism and re-armament, that is, reviving the policy of the old international order. It is our duty as Japanese to get rid of this outworn spirit and system of the old international order and replace it by the spirit and system of the Constitution of Japan, that is, of the new international order.

III. *The New International Order in the Framework of the UN*

The redefinition of national sovereignty as a precondition of the NIO leads us to reconsider the implications of the UN. What I have proposed might sound to be too utopian and optimistic from the standpoint of the old international order, but, let us remember the warning uttered by Einstein and try to invent "a completely new way of thinking." Let us also keep in mind the world historic advent and rise of the Non-Governmental Organizations of the UN (the NGO) and the mass movements all over the world. In 1982, in Japan, in Western Europe and in North America, the NGO movements have arisen in the form of anti-nuclear movements for human survival. The movements of local communities for nuclear-free cities and towns must also be noted. In Poland, too, "Solidarity" as well as the catholic church have consciously or unconsciously played the role of the NGO movement there. Whether one supports these or not, no one can deny that there are actual NGO movements in the COMECON countries. It cannot be denied that NGO movements in West and East are demanding a new, better, more humane and democratic society, and an international order free of despotic bureaucracy as well as big power hegemonism. It would not be incorrect to say that a "completely new way of thinking" has been and is being formed and practiced by the world-wide tides of the rising NGO mass movements.

As a precondition of the creation of the NIO I have focused only on its philosophical and juridical aspects and proposed the renunciation of the hitherto accepted UN principle of big power centralism, that is, *nuclear* big power centralism, as well as the curtailment of some national sovereign rights. I am sure that this will not weaken but will strengthen the prestige of the UN, as well as confirming the actual sovereign rights to existence and self-determination of all nations, big and small, West and East, North and South. If life is to survive, the prestige and governability of the UN and its machinery cannot but be respected and elevated in the nuclear age. The NIO can be formed only within the framework of the UN, and a renovated and democratized UN itself will be an organizational embodiment of the NIO. Only

through this process, in the long-term perspective, can the establishment of a strong world authority and the dissolution of national power be in sight.¹⁰⁾

NOTES

- 1) There are innumerable documents about US crimes of genocide in Vietnam. A few among them are B. Russell, *War Crimes in Vietnam*, London, 1967; Centre International d'Information pour la Dénonciation des Crimes de Guerre, *Vietnam 68*, Paris, 1968; Shingo Shibata, *Lessons of the Vietnam War*, Grüner, Amsterdam, 1973; N. Chomsky and E.S. Herman, *The Washington Connection and Third World Fascism*, and *After the Cataclysm*, Spokesman, Nottingham, 1979.
- 2) As the most authoritative investigations on the spot, see Honda Katuiti, *Journey to Cambodia—Investigation into Massacre by Pol Pot Regime*, Tokyo, 1981; Yoshino Oishi, *Viocess People*, Pictorial Reportage, Tokyo, 1981; W. Burchett, *The China-Cambodia-Vietnam Triangle*, Zed Press, London, 1981. As to the social background of the genocide there, see Shingo Shibata, "Réexamen du socialisme contemporain," *Hiroshima Peace Science*, No. 4, 1982.
- 3) See L. Kuper, *Genocide*, Penguin Books, 1981.
- 4) What was done cannot be undone. However, the UN resolution on the partition of Palestine and the foundation of Israel which was adopted on 29 November 1947 in defiance of opposition of the Arab peoples should be critically reexamined. Many lessons could be drawn from it for the making of the NIO.
- 5) J. Galtung, "Violence, Peace and Peace Research," *Journal of Peace Research*, Vol. VI, No. 3, 1969; D. Senghaas (ed.), *Imperialismus und strukturelle Gewalt*, Frankfurt, 1972; the cited works by Chomsky and Herman.
- 6) As to sources of the classification of hibakusha, see the books and articles cited in my paper "The Philosophy of History in the Nuclear Age," *Hiroshima Peace Science*, No. 5, 1983.
- 7) J. Somerville, *Philosophy and Ethics in the Nuclear Age*, Japanese edition, Tokyo, 1980.
- 8) See Shingo Shibata, "The New Philosophy in the Nuclear Age," *The 1982 Year-book for Social Scientific Studies*, (Japanese) Tokyo, 1982. An English version of the paper is in preparation.
- 9) Cited by J. Somerville, *The Peace Revolution*, Greenwood Press, Westport, 1975, p. 22. Somerville successfully demonstrates the illegal and immoral character of a presidential initiated war.

- 10) It is interesting to know that in understanding the epoch-making significance of the nuclear age, natural scientists such as Einstein, Bohr, Yukawa, Needham and others were ahead of many social scientists. This raises a question about the role and place of natural sciences and the scientific revolution in the visions of the new international order. Besides, it is also noteworthy that Einstein and Yukawa were among the pioneering thinkers who proposed the ideal of a world government in the nuclear age. This ideal led to a debate between Einstein and some leading atomic scientists of the Soviet Union. (See *The Bulletin of the Atomic Scientists*, February 1948, later incorporated into *The Atomic Age*, edited by M. Grodzins and E. Rabinowitch, Basic Books, N.Y., 1963.) Whatever the name, this debate on world government was related to the discussion about a world authority, the UN, the NIO and the perspective of the dissolution of national power. In this respect, S. Brucan's *The Dissolution of Power*, A.A. Knopf, N.Y., 1971 and *The Dialectic of World Politics*, The Free Press, N.Y., 1978 are suggestive pioneering works.