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Self-Defence and Nuclear Deterrence: *The Challenge for the UN Security Council*

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States are the primary actors in world affairs. Sovereignty is the bedrock principle on which their relations are based and organised. International organisations help states to cooperate in the pursuit of shared goals and also to manage competition and rivalry in order to mute conflict and violence. Four issues pose potential existential threats: climate change, pandemics, artificial intelligence (AI), and nuclear weapons.

The [Brundtland Commission's report](#) 'Our Common Future' (1987) began with a memorable opening sentence: '*The Earth is one but the world is not*'. Barack Obama was the first American president to visit Hiroshima while in office. In an emotionally-charged address at the Peace Memorial on 27 May 2016, referencing 6 August 1945, he said:

*on a bright, cloudless morning, death fell from the sky and the world was changed. A flash of light and a wall of fire destroyed a city and demonstrated that mankind possessed the means to destroy itself.*¹

A world in growing disarray is at a nuclear inflection point with intensifying and multiplying nuclear threats:

- The Nuclear Non-Proliferation Treaty (NPT, 1968) entered into force in 1970. Mostly successful as a non-proliferation regime, it proved to be stillborn as a nuclear disarmament treaty.
- To fill the legal gap and exert normative pressure towards elimination, 122 NPT states parties adopted the Treaty on the Prohibition of Nuclear Weapons (TPNW, 2017). It entered into force in January 2021 and, in July 2023, it had 68 states parties with another 24 signatory states.²

The competing normative frameworks of the NPT and the TPNW contain two tensions.

- The first is between the five 'NPT-licit' nuclear-weapon states (NWS) – China, France, Russia, UK, USA – and the 180+ NPT non-NWS that for decades have called on the NWS to honour their commitment to nuclear disarmament under Article 6 of the Treaty.
- The second, less often noted, is between the five permanent members of the UN Security Council (P5) that control the world's peace enforcement body and the General Assembly (GA) that represents the international community.

The dual tension frames this analysis.

The topic addressed here is 'Self Defence and Nuclear Deterrence: The Challenge to the Security Council'. Any assumption that the Security Council is the answer to the problem of nuclear weapons, can only be described as misjudged. As presently constituted, the Council is an immovable obstacle to freeing the world from the threat of nuclear weapons.

The above contention rests on five propositions:

1. Nine countries seek security *in* nuclear weapons.
2. The overwhelming majority of the world's countries seek security *from* nuclear weapons.
3. The NPT embedded, in particular, the geopolitical preferences of the two superpower bloc leaders, in perpetuity.
4. By contrast, the TPNW substitutes the contemporary normative vision of the international community for a nuclear-weapon-free world, thereby pitting the Security Council against the international community. This is far more grounded in reality than any romantic faith in nuclear deterrence.
5. To reconcile the NPT and the TPNW and turn the Security Council into the instrument of the international community once again, we must either succeed in restructuring the Security Council or, failing that, turn our thoughts to how best to replace it with another body that *is* fit for purpose.

1. Security in the Bomb

Ensuring public safety and national security is a prime responsibility of sovereign states. The existence of 12,512 nuclear weapons is proof that the nine countries that possess the bomb – China, France, India, Israel, North Korea, Pakistan, Russia, UK, USA, with Russia (5,889) and the US (5,244) accounting for 89 per cent of the global stockpile³ – put their faith in the bomb to ensure national security. All nine foresee an indefinite retention of the bomb and all are engaged in upgrades and modernisation. Some are also pursuing numbers of increased warheads and delivery systems and platforms, expanding roles for nuclear weapons, and additional domains such as cyber, space and AI to integrate into nuclear command and control infrastructures.

¹ 'Remarks by President Obama and Prime Minister Abe of Japan at Hiroshima Peace Memorial', White House, Office of the Press Secretary, 27 May 2016.

² United Nations, Office for Disarmament Affairs, 'Treaty on the Prohibition of Nuclear Weapons' <https://treaties.unoda.org/t/tpnw>.

³ Hans M. Kristensen and Matt Korda, 'Status of World Nuclear Forces', Federation of American Scientists, 31 March 2023, <https://fas.org/issues/nuclear-weapons/status-world-nuclear-forces/>

Yet faith in the compellent, deterrent and defence utility of the bomb is badly misplaced and relies on magical Realism. I illustrate this with respect to India but the analysis applies, with appropriate adaptations to individual circumstances, to all possessor countries.

Indian doctrine, backed by deployment patterns, explicitly eschews any intent to use nuclear weapons as tools of attack and coercion. Its nuclear arsenal offers no defence against a major conventional attack by China, Russia or the US – the only three countries with the *capability* to do so. As for *intent*, Russia is a long standing diplomatic ally and friend. Relations with the US have warmed to a remarkable degree, with deepening bilateral ties being supplemented by the Quadrilateral Security Dialogue forum involving Australia, India, Japan and the US. Cooperation on several major international issues based on converging interests in forums such as BRICS⁴ and the Shanghai Cooperation Organisation (SCO) provide considerable substance, texture and ballast to bilateral Sino–Indian relations today, alongside unresolved border disputes and flare-ups.

With nuclear weapons being unusable for defence, their sole purpose and role is mutual deterrence. India's no-first-use doctrine disavows use of nuclear weapons in response to conventional attacks. Just what is a 'credible minimum deterrent' – India's official doctrine – that would dissuade nuclear blackmail and coercion and permit second-strike nuclear retaliation? China and Pakistan are incommensurate in their national power, strategic frames and military capabilities. The requirements of numbers, reach, deployment patterns and locations, and distribution between land-based, air-launched and sea-borne platforms, are mutually incompatible as between them. What is credible vis-à-vis China cannot be minimum vis-à-vis Pakistan, and vice versa.

The subcontinent's volatile and conflict-riven history since 1998 gives the lie to the then-hopes and expectations that nuclearisation would prove to be a stabilising factor. Powerful domestic constituencies identify a multiplication of threats to justify matching expansions of elastic nuclear postures. History, geography and religion make the India–Pakistan nuclear equation less stable than US–Soviet deterrence during the Cold War. Nuclear weapons failed to deter Pakistani infiltration and Indian retaliation in the 1999 Kargil war, a year-long full military mobilisation by both in 2002, a terrorist attack on Mumbai in 2008, and a militant strike on an Indian paramilitary convoy followed by an Indian missile strike into Pakistan proper and aerial dogfights between the two countries' air forces in 2019.

Pakistan has invested in terrorist groups as part of its unconventional inventory against India. In responding to a terrorist attack, any deliberate escalation by India through the nuclear threshold would be high-risk. The development of tactical missiles and battlefield nuclear weapons, whose utility is contingent on proximity to battlefields, multiply the risks. Both must also live with the nightmare possibility of jihadists getting their hands on Pakistan's nuclear weapons. Nuclear weapons are not going to help India combat internal insurgency, cross-border terrorism, pandemics, poverty, illiteracy, and malnutrition. Instead, India is caught in an escalating cycle of increased nuclear and conventional military expenditure with no net gain in defence capability against the most likely threat contingencies.

2. Security from the Bomb

With India's net negative cost-benefit equation multiplied ninefold for the world overall, the risks from nuclear weapons to world peace and survival exceed national security benefits to individual possessor states. All in all, there are moral, legal and existential imperatives to reduce and eventually eliminate nuclear weapons. Far from helping to stabilise the crisis and calm the tensions after the Russian invasion of Ukraine in February 2022, for example, nuclear weapons have added to the dangers.

The world would have been far less dangerous had the bomb become history already. To that end, it is important to recognise that the romantic belief in the utility of nuclear weapons rests, in fact, on four myths, as identified below.

The 'Four Nuclear Myths'

Myth 1. 'The Bomb Ended the Second World War in the Pacific'

Policymakers, analysts and publics have widely internalised the belief that Japan surrendered in 1945 because of the atomic bombings of Hiroshima and Nagasaki. Yet the evidence is surprisingly clear that the close chronology is a coincidence. Hiroshima was bombed on 6 August, Nagasaki on the 9th and Moscow broke its neutrality pact to attack Japan on the 9th. Tokyo announced the surrender on 15 August. Tsuyoshi Hasegawa (Professor of modern Russian and Soviet history, University of California, Santa Barbara) has shown that in the collective mind of Japan's decision-makers, the decisive factor

⁴ See Andrew F. Cooper and Ramesh Thakur, 'The Staying Power of the BRICS', in Thomas G. Weiss and Rorden Wilkinson, eds., *International Organization and Global Governance*, 3rd Ed. (London: Routledge, 2023), pp. 307–20.

in the unconditional surrender was the imminent Soviet entry into the Pacific war. They feared the likelihood of the Soviet Union as the occupying power, including for the survival of the Emperor, unless Japan surrendered to the US first.⁵

Myth 2. 'The Bomb Has Kept the Peace in Europe'

The big territorial expansion of the former Soviet Union across central and eastern Europe came in the 1945–49 years when the US held an atomic monopoly. During the Cold War, no evidence exists to show that either side had the intention to attack the other at any time but was deterred from doing so because of nuclear weapons. Other explanations for the long peace include West European integration and democratisation. After the Cold War, the existence of nuclear weapons on both sides did not stop NATO from expanding to Russia's borders, Russia from invading Ukraine last year, or NATO from rearming Ukraine. The more or less constant US–Russia nuclear equation is irrelevant to explaining the shifting geopolitical developments. We have to look elsewhere to understand the ongoing rebalancing of US–Russia relations.

Myth 3. 'Nuclear Deterrence is 100 Percent Effective'

Some profess interest in nuclear weapons in order to avoid nuclear blackmail. Yet there is not one clear-cut instance of a non-nuclear state having been bullied into changing its behaviour by the overt or implicit threat of being bombed by nuclear weapons, including Ukraine. Nuclear powers have accepted defeat at the hands of non-nuclear states rather than escalate armed conflict to the nuclear level (Vietnam, Afghanistan). Nuclear-armed Britain's Falkland Islands were even invaded, in 1982, by non-nuclear Argentina which claims them as *Islas Malvinas*. The biggest elements of caution in attacking North Korea for its repeated provocations are not nuclear weapons, but its formidable conventional capability to hit the heavily populated parts of South Korea, including Seoul, and anxiety about how China would respond.

Nuclear weapons cannot be used for defence against nuclear-armed rivals. Robust mutual vulnerability to second-strike retaliatory capability means that any escalation through the nuclear threshold really would amount to mutual suicide.

Their only purpose and role, therefore, is mutual deterrence. In order to deter a conventional attack by a more powerful nuclear adversary, the weaker state must convince its stronger opponent of the ability and will to use nuclear weapons if attacked. If the attack does occur, however, escalating to nuclear weapons will worsen the scale of military devastation even for the side initiating nuclear strikes. Because the stronger party believes this, nuclear calculations will induce extra caution but does not guarantee immunity for the weaker party. If Mumbai or Delhi were to be hit by another major terrorist attack which India believed had Pakistan connections, the pressure for some form of retaliation could overwhelm any caution about Pakistan having nuclear weapons.

Myth 4. 'Nuclear Deterrence is 100 Percent Safe'

Disconcertingly, for nuclear peace to hold, deterrence *and* fail-safe mechanisms must work *every single time*. For nuclear Armageddon, deterrence *or* fail-safe mechanisms need to break down *only once*. Deterrence stability depends on rational decision-makers being *always in office on all sides*: a not very reassuring precondition in the age of Kim Jong Un, Vladimir Putin and Donald Trump. It depends equally critically on there being *not one rogue launch, human error or system malfunction*: an impossibly high bar.

Nuclear weapons have failed to stop armed conflict between nuclear and non-nuclear rivals (Korea, Afghanistan, Falklands, Vietnam, Iraq, Ukraine). To believe in deterrence is to argue that Iran should be encouraged, indeed facilitated in getting the bomb in order to contribute to the peace and stability of the Middle East where presently Israel is the only nuclear-armed state. Good luck with that – and 'goodnight'.

A prospective Russia–NATO war is only one of five potential nuclear flashpoints, albeit the one with the gravest consequences. The remaining four are all in the Indo–Pacific: China-US, China-India, Korean Peninsula, and India-Pakistan. A simple transposition of the dyadic North Atlantic frameworks to comprehend the multiplex Indo-Pacific nuclear relations is analytically flawed and entails policy dangers for managing nuclear stability. The geostrategic environment of the subcontinent, for example, had no parallel in the Cold War, with triangular shared borders among three nuclear-armed states, major territorial disputes, a history of many wars since 1947, compressed timeframes for using or losing nuclear weapons, political volatility and instability, and state-sponsored cross-border insurgency and terrorism.⁶

⁵ Tsuyoshi Hasegawa, 'The Atomic Bombs and the Soviet Invasion: What Drove Japan's Decision to Surrender?', *The Asia-Pacific Journal* 5:8 (August 2007), pp. 1–30.

⁶ See Ramesh Thakur, Shatabhisha Shetty & Waheguru Pal Singh Sidhu, 'Introduction: China–India–Pakistan Nuclear Trilemmas and the Imperative of Risk Reduction Measures', *Journal for Peace and Nuclear Disarmament* 5:2 (2022), pp. 215–23, <https://www.tandfonline.com/doi/full/10.1080/25751654.2022.2159750>.

Premeditated nuclear strikes seem unlikely pathways to a nuclear exchange. But the toxic cocktail of growing nuclear stockpiles, expanding nuclear platforms, irredentist territorial claims and uncontrolled jihadist groups makes the Indian subcontinent a high-risk region of concern. The Korean Peninsula too is a dangerous cockpit for a possible nuclear war that could directly involve four nuclear-armed states (China, North Korea, Russia, US), plus South Korea, Japan, and Taiwan as major US allies. The pathways to a war that neither side wants include a fatal miscalculation in the instrumental recourse to brinksmanship and military exercises, any one of which could spook Kim Jong Un into launching a pre-emptive attack or incite a South Korean or US military response that creates an unstoppable escalation spiral.

The world has so far averted a nuclear catastrophe as much owing to good luck as to wise management. We have come frighteningly close many times to nuclear holocaust owing to misperceptions, miscalculations, near misses, and accidents.⁷

- In the Cuban Missile Crisis in October 1962, a nuclear-armed Soviet submarine had pre-delegated authority to launch the bomb if all three top commanders believed a war had broken out. Mercifully, Vasili Arkhipov demurred and may well be the man who saved the world.⁸
- In November 1983, Moscow mistook NATO war games exercise Able Archer to be the real thing. The Soviets came close to launching a full-scale nuclear attack against the West.
- On 25 January 1995, Norway launched a powerful scientific research rocket in its northern latitudes. Its stage three speed and trajectory mimicked a Trident sea launched ballistic missile. The Russian early warning radar system near Murmansk tagged it within seconds of launch as a possible American nuclear missile attack. Fortunately, the rocket did not stray into Russian airspace.
- On 29 August 2007, an American B-52 bomber carrying six air-launched cruise missiles armed with nuclear warheads made an unauthorised 1,400-mile flight from North Dakota to Louisiana and was effectively absent without leave for 36 hours.
- Following the 2014 Ukraine crisis, several serious and high-risk incidents involving planes and ships have been documented.
- Global Zero has also documented dangerous encounters in the South China Sea and South Asia.
- In January 1961, a four megaton bomb – that is, 260 times more powerful than that used on Hiroshima – was just one ordinary switch away from detonating over North Carolina when a B-52 bomber on a routine flight went into an uncontrolled spin.

3. The NPT's Normative Exhaustion

This selective catalogue of mishaps on the nuclear cliff-edge underscores that the only guarantee of zero nuclear-weapons risk is zero nuclear weapons possession. The logics of nuclear disarmament and nonproliferation are inseparable. The possession of nuclear weapons by nine countries is *sufficient guarantee* of their proliferation to others and, some day again, use. Conversely, nuclear disarmament is *a necessary condition* of nuclear non-proliferation.

In the NPT's tripartite bargain, the peaceful transfers and non-proliferation agendas have been more or less completed. Only possessor states now remain outside and the outstanding task therefore is disarmament. Of course, global stockpiles of warheads have been drastically cut. But these have all resulted from bilateral agreements and unilateral initiatives by Moscow and Washington. Not one nuclear warhead has been eliminated and not one disarmament conference has been convened under NPT auspices. Hence the inescapable conclusion has to be, not that the NPT has been a failure, but that its normative potential has been exhausted.

4. The TPNW's Normative Framework

For half a century, nuclear peace rested on the normative pillars of the NPT. For more than a decade, even as multiple geopolitical tensions spiked, the nuclear arms control architecture has been crumbling. The mounting frustrations among NPT non-NWS gradually turned into anger and a determination to seize control of the disarmament agenda. The TPNW is not an effort to undermine the NPT, but to strengthen it, redress the weaknesses and complete its disarmament agenda. It

⁷ See: Patricia Lewis, Heather Williams, and Benoît Pelopidas, *Too Close for Comfort: Cases of Near Nuclear Use and Options for Policy*, Chatham House Report, 28 April 2014, <https://www.chathamhouse.org/2014/04/too-close-comfort-cases-near-nuclear-use-and-options-policy>; Ramesh Thakur, *The United Nations, Peace and Security: From Collective Security to the Responsibility to Protect*, 2nd ed. (Cambridge: Cambridge University Press, 2017), chapter 6, 'The Nuclear Threat'; and Dan Drolette, 'Interview with Eric Schlosser: Why we can't trust the government's figures about nuclear close calls', *Bulletin of the Atomic Scientists*, 9 May 2023, <https://thebulletin.org/premium/2023-05/interview-with-eric-schlosser-why-we-cant-trust-the-governments-figures-about-nuclear-close-calls/>.

⁸ Nicola Davis, 'Soviet submarine officer who averted nuclear war honoured with prize', *Guardian*, 27 October 2017.

establishes a new normative settling point on the ethics, legality and legitimacy of the bomb.⁹ The old paradigm had proven unable to break through ‘the wall of the nuclear deterrence dogma’.¹⁰

Reframing the debate from disarmament as a security issue into concern over humanitarian consequences enabled advocates to transcend national and international security arguments. The role of a state champion in the carriage of state–civil society partnership to successful conclusion at an international conference was equally crucial. This also facilitated a democratic shift in the nuclear debate, with non-NWS using the UN General Assembly, the central democratic body of the international system, as the site and forum of negotiations and adoption.

The TPNW has converted a long-standing *political aspiration*, into a *legal framework*. It is legally binding only for signatories. The non-NWS are the majority shareholders in the NPT society of states and, by acting together, they have derecognised the legitimacy of the five NWS as possessor states. As a UN-negotiated treaty following a UN-authorized process and conference, the TPNW exerts a normative pull on the non-party nuclear weapons possessor countries. It substantially qualifies the legitimacy of their nuclear weapons and reliance on the threat of using them for national security. The treaty reaffirms the norms of non-proliferation, disarmament, security and non-use, and thereby devalues the currency of nuclear weapons. Its legal effect will lie in strengthening the disarmament norm for NPT parties and removing the NPT-sourced legal and legitimising plank for continued possession, deployment and doctrines of the five NWS. Indeed the non-use norm satisfies the threshold of consistent and widespread state practice and is arguably a peremptory norm (*jus cogens*) framed in the language of prohibition from which no state can opt out unilaterally.

The main impact of the Treaty will be to reshape the global normative milieu: the prevailing cluster of laws (international, humanitarian, and human rights), norms, rules, practices and discourse that shape how we think about and act in relation to nuclear weapons. By changing the prevailing normative structure, the TPNW shifts the balance of costs and benefits of possession, deterrence doctrines and deployment practices, and will create a deepening crisis of legitimacy. It hardens the normative boundary between conventional and nuclear weapons. Criticism of the TPNW as ineffective in eliminating warheads, lacking credibility and being impractical is therefore fundamentally misconceived.¹¹

5. The Challenge to the Security Council: Adapt or Die

The UN is the biggest incubator of global norms to govern the world and the vital core of the rules-based global multilateral order. Four parts of the UN system have complementary roles in efforts to regulate and eliminate nuclear weapons.

- The International Atomic Energy Agency (IAEA) is a technical organisation that functions as the nuclear watchdog, overseeing nuclear facilities, materials and programmes to ensure peaceful use.
- The International Court of Justice (World Court) is the adjudicator of legal obligations that bind states.
- The General Assembly is the standard-setting body that functions as the normative centre of gravity consequent to its universal membership with each state having one vote.
- The Security Council, with its 15 Member States, is the enforcement arm with legal authority to mandate the necessary measures, from peaceful means and coercion to the use of force, in order to enforce international law and norms. The P5 can protect their interests with the veto. All this makes it the geopolitical cockpit of the global security order.

The NPT embedded the geopolitical preferences of the two superpowers in 1968. It entrenched the privileged position of the five major powers of 1945 and empowered them to regulate the conduct of all other states. There is absolutely no basis in the entire history of the United Nations to believe that the five NWS, as long as they are also the P5, will contemplate relinquishing the bomb.

The nine nuclear-armed states have ignored the TPNW and doubled down on their investment in nuclear weapons, delivery systems, doctrines and deployments. They and those of their allies who shelter under the nuclear umbrella of the NWS will also continue to affirm faith and confidence in the credibility of nuclear deterrence doctrine and practices. But the NPT’s

⁹ Ramesh Thakur, ‘The Nuclear Ban Treaty: Recasting a Normative Framework for Disarmament’, *The Washington Quarterly* 40:4 (2018): 71–95.

¹⁰ Alexander Kmentt, ‘How nuclear-dependent states could respond to the entry into force of the TPNW’, in Ramesh Thakur, ed., *The Nuclear Ban Treaty: A Transformational Reframing of the Global Nuclear Order* (London: Routledge, 2022), p. 114.

¹¹ For an Australian of Indian origin, the *schadenfreude* of Australia’s discomfort considering the effort to harness UN legitimacy to pressure India on the Comprehensive Test Ban Treaty (CTBT) in 1996 is, delicious. See Ramesh Thakur, ‘Get the Test Ban Treaty Operational and Let India Join Later’ *International Herald Tribune*, 9 September 1996, <https://www.nytimes.com/1996/09/09/opinion/IHT-get-the-test-ban-treaty-operational-and-let-india-join-later.html>.

five NWS will no longer be able to claim the mantle of international legality and legitimacy that the NPT had conferred on their possessor status. They may not like the result, but their constant refrain that the nuclear genie cannot be put back in the bottle can now be turned against them: neither can the TPNW.

With the adoption of the TPNW, for the first time in UN history, the General Assembly asserted its normative primacy over the united opposition of the P5 geopolitical heavyweights. The Treaty reflects the normative vision of the global South, backed by like-minded states from the North. Rebalancing the UNSC-UNGA relationship is critical for restoring the legitimacy, and therefore the effectiveness, of the United Nations.

The outlawing of nuclear weapons is the historic significance of the TPNW. The second might well be that the non-Western and small states of international society forced through an instrument of international humanitarian law against the will of most Western countries and all major powers.¹² Thus, the states that created the laws of war now find themselves, for the first time in history, the objects of that law as ownership is taken over by the rest.

It will be recalled that in 1999, NATO intervention in Kosovo, illegal under UN Charter law and also under NATO as no member state had been attacked, was justified by invoking a distinction between legality and legitimacy. For the foreseeable future, there is no substitute for the Security Council as the legal enforcement arm of the international community. Can the UN avoid a significantly wider gulf between legality and legitimacy in any enforcement decisions by the P5 dominated Security Council against nuclear challenges by others?¹³ Unlike the NPT, for the TPNW, any country that possesses nuclear weapons is a violator of the global prohibition norm, implying a moral equivalency between the five NPT-licit NWS and others. How can the P5 act as the primary enforcement agents of TPNW obligations when the main point of the Treaty is to stigmatise their nuclear policy and they are its principal norm violators?

As someone who has believed both in nuclear disarmament and in the United Nations my entire professional life, it is a painful choice to make between supporting disarmament or the UN. But there it is. That said, the choice is made easier by the compelling case for Security Council structural reform, even independently of the nuclear conundrum.

In the broad and extensive agenda of UN reforms, the most critical and pressing issue is that of the Security Council. Tackling incremental reforms that are doable, while shelving the one transformational reform most imperative, has become a political tactic of deflection. The ossified Security Council remains trapped in the power equations of 1945 and is therefore out of sync even with its core defining logic. Let us construct a simple thought experiment: which country can one think of that could still function efficiently, effectively and legitimately today, with its governmental structure essentially unchanged since 1945?

The world is vastly more complicated than any single country. Absence from the UN's top table ensures that the global South is limited to being mostly on the UN's menu. The erosion of the representative and performance legitimacy of the Security Council weakens its ability to make decisions guided by a full understanding of the development, security, human rights, and environmental dynamics in areas where peace is most threatened. It diminishes the UN's capacity for effective implementation of all four normative mandates.

This is why structural reform of the Security Council's composition, particularly permanent membership, is critical. This must necessarily include dropping some as well as adding others from permanent membership; otherwise it will remain unrepresentative and become more unwieldy. Yet, I am not aware of any major reform proposal that has identified which of the P5 should be dropped, why and how. All proposals to add permanent members have floundered even without tackling the need to keep it trim.

I would favour a P8 model at most. Bring in Brazil, India, Japan, Germany, and one of Egypt, Nigeria or South Africa. And drop Russia (its pretence to great power status is highly questionable) and one of France or the UK. And, while the summit to negotiate this via Charter amendment is in session, also amend it to convert permanent membership into renewable 15-year terms for eight countries. This would give us a balance of four nuclear-armed states (China, India, France/UK, US) and four that are not (Brazil, Germany, Japan, and Egypt or Nigeria or South Africa).

Is this likely and feasible? The history of UN reforms to date answers with an emphatic negative. The most likely trajectory is for the UN's legitimacy, effectiveness and authority to continue to erode and the organisation, in turn, to become increasingly marginalised and irrelevant. But do we believe that:

¹² Kjølv Egeland, "Banning the Bomb: Inconsequential Posturing or Consequential Stigmatization?" *Global Governance* 24:1 (2018, forthcoming).

¹³ Ramesh Thakur, 'Law, Legitimacy and United Nations', *Melbourne Journal of International Law* 11:1 (2010), 1–26.

- The history of the rise and fall of great powers was put on permanent pause in 1945?
- If not, how long can we persist with the 1945 P5 structure – another 10, 20, 50, 100, or more years?
- Is there any reason to expect that the UN will stop leaching legitimacy and effectiveness with each passing year?

Between the ossified hard place of an increasingly illegitimate and ineffective existing Security Council, and the immovable rock of a reform-proof Security Council, is there a third way? Giving up on nuclear disarmament via the NPT and switching attention and efforts to the TPNW, without the involvement and against the opposition of the nuclear powers, shows the only way forward. The majority of the world's countries should give up on the UN and convene a new conference for a replacement international organisation more fit for purpose in addressing and solving today's challenges and threats.

I am not in search of advice that the above proposal is extremely problematical – I know that only too well. Instead, we need to explore why the standard refusal to confront the hard choices is any more realistic.

The key fact is not that the choice between nuclear disarmament and a reform-proof UN is painful. Rather, the issue at hand is this: at which point does the choice become unavoidable and we then need to begin organising a new coalition of civil-society and nation-state actors to convene a global conference to design United Nations version 2.0?