Sovereignty Crisis in an Era of Nuclear Panic:

Late Cold War Attitudes as Revealed by the Reception of the Nuclear Non-Proliferation Treaty by China, Japan, and North Korea

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Despite the limitations placed on sovereignty by signing the late Cold War multilateral agreements, the decision to do so has been guided by the self-interest of individual states. This is exemplified by the reception of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) by China, Japan, and North Korea.
Outline

- Nuclear context: the Cold War
- Sovereignty principle in international relations and law
- Multilateral contracts
  - International Agency of Atomic Energy (IAEA) safeguards
  - Limited Test Ban Treaty
  - Treaty on the Non-Proliferation of Nuclear Weapons (NPT)
- Security and sovereignty dilemma
- China’s nuclear history and the NPT
- Japan and the ‘nuclear umbrella’
- North Korea and mistrust
Nuclear Context: The Cold War

- Hiroshima and Nagasaki (1945)
- Cold War tensions
  - United States and the Soviet Union
- Global fear, mistrust, and anxiety
- Alliances

Sovereignty

“The principle of absolute or unrestricted power expressed either as unchallengeable legal authority or unquestionable political power.”

- Andrew Heywood’s *Political Ideologies: An Introduction*

International Relations vs. International Law

- Stephen Krasner’s *Sovereignty: Organized Hypocrisy*
- Antonio Cassese’s *International Law*
Cold War Multilateral Agreements/Contracts

- General purpose: disarmament and global nuclear security
- Limited Test Ban Treaty (1963)
  - “Each of the Parties to this Treaty undertakes to prohibit, to prevent, and not to carry out any nuclear weapon test explosion, or any other nuclear explosion, at any place under its jurisdiction or control… in the atmosphere; beyond its limits, including outer space; or under water, including territorial waters or high seas.” (Article I)
- International Agency of Atomic Energy (IAEA) safeguards
  - Right and responsibility to inspect facilities and equipment within a member state’s territory (Article XII)
- Security and sovereignty dilemma
The Nuclear Non-Proliferation Treaty (NPT)

- 190 signatory states (as of 2013)
- Purposes: non-proliferation, disarmament, promotion of the right to peacefully use nuclear technology
- “Each non-nuclear-weapon State Party to the Treaty undertakes… not to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices…” (Article II)
- Acceptance of International Agency of Atomic Energy safeguards (Article III)
- Sovereignty issues
China’s Nuclear History and the NPT

- Refused to sign 1963 Limited Test Ban Treaty
- Global Criticism $\Rightarrow$ ‘No-first-use policy’
- Did not sign the NPT in 1968
  - While refusing to join an international agreement may seem reckless, China’s actions in the 1960s reflect the idea that “Peking has always responded… with prudence and moderation whenever the threat of the opponent has been made credible” (Longlay).
  - Vulnerable to external pressure and fearful of attack
- Want for domestic security and more power in the international community
China’s Changing Perspective

- Became party to the NPT in March of 1992
- Normative and American pressure
  - China joined the “normative framework” after “the United States used various forms of leverage over Beijing to persuade it to adhere with greater behavioural consistency with the non-proliferation norm.” Thus, China has been in the habit of “carefully [weighing] the associated costs and benefits of norm adherence against its strategic position and international image.” (Foot and Walter)
  - China only agreed to sign the NPT soon after France announced that it would accede to the Treaty because China “feared being the last remaining member of the original five NWS [Nuclear Weapons States (states that have detonated a nuclear device prior to 1967)] outside the treaty” (Foot and Walter).
Japan and the ‘Nuclear Umbrella’

- General endorsement of global disarmament policies
  - “Chapter 2 of article 9 of [Japan’s] so-called Peace Constitution explicitly states that ‘the Japanese people forever renounce war as a sovereign right of the nation…’” (Campbell, Einhorn, Reiss).

- Did not ratify the Treaty right away
  - Could not sign on as a Nuclear Weapons State
  - Fearful of China’s nuclear capabilities

- Joined the NPT in 1976
  - Desire to maintain good relations with the United States
  - American pressure, economic support, and military protection
  - “The costs of developing an independent nuclear capability would far outweigh the one prospective and presumed benefit— less reliance on the United States for Japan’s security needs” (Campbell, Einhorn, Reiss).
North Korea and Mistrust

- Isolated and suspicious $\rightarrow$ desire to build nuclear capacity
- American pressure and incentives to cease development
- Inconsistency with the non-proliferation norm
  - Desire to be recognized as a peaceful nation
  - Distrustful of the system for protection
- Ratification of the NPT in 1985 in response to incentives and global pressure
- “Secret” nuclear development until IAEA inspectors uncovered suspicious evidence of development
- Withdrawal from the NPT in 2003
Conclusion

- Cold War created atmosphere of fear
- Global nuclear crisis → states’ decisions and actions are guided by self-interest
- China, Japan, and North Korea’s attitude towards nuclear non-proliferation reflects their concern for security
- Domestic security over sovereignty rights
Bibliography


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