

The Agreement With Iran: Another Example of Nuclear Weapons  
Treaties Continuing Nuclearism

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## I. Introduction

Perhaps a quote from one of the men most responsible for the development and the dropping of the first atomic bomb, former Secretary of War Henry Stimson, most exemplifies the hopes and realities that have been associated with nuclear weapons treaties. He stated in a memo that the bomb was “merely a first step in a control by man over the forces of nature too revolutionary and dangerous to fit into the old concepts.” The memo went on to state that there is a “race between man’s growing technical power for destructiveness and his psychological power for self-control and group control-his moral power”. He therefore advocated that the US “enter an arrangement with the Russians, the general purpose of which would be to control and limit the use of the atomic bomb as an instrument of war...”<sup>1</sup>

Unfortunately for mankind no such arrangement was even partially accomplished until after the near extinction of the the human race during the Cuban Missile Crisis, 18 years later. Even then the treaties that were negotiated only furthered the arms race or permitted the United States to modernize its arsenal as can be seen with the current Administration because of nuclearism. This paper will explore the hypocrisy exhibited by the United States in using arms control treaties, including the most recent one with Iran, as a means of retaining its nuclear hegemony on the world scene.

## II. Nuclearism

### 1. What is Nuclearism

Prior to discussing the behavior of the United States in the nuclear treaty arena it is necessary to give some background to the role nuclear weapons play in the American national security scene. The term “nuclearism” is helpful in discussing this role but may not be familiar to most people. Two authors have described this word as the “...

psychological, political and military dependence on nuclear weapons, the embrace of the weapons as a solution to a wide variety of human dilemmas, most ironically that of security.”<sup>2</sup> Lifton and Falk go on to describe nuclearism as a disease with the symptoms being nuclear weapons stockpiles and their attendant policies.<sup>3</sup>

Lifton writes that nuclear weapons “radically alter our existence” because nothing we do in our ordinary lives are free from their existence. Lifton further states “The threat they pose has become the context for our lives, a shadow that persistently intrudes upon our mental ecology. We could hardly expect the influence to be a salutary one, but we have been slow to come to terms with how malignant it is. At the heart of the matter are ways in which the bomb impairs our capacity to confront the bomb. The presence of these mass-killing devices in the world, that is, creates staggering new problems for us and at the same time distorts our thinking and blunts our feeling about precisely these problems.”<sup>4</sup>

## 2. The Absurdity of Nuclear Weapons

Lifton proceeds to examining the current situation regarding nuclear weapons as part of nuclearism by describing that situation as “absurd”. He makes this observation for the following reasons. The first is that two nations, namely the US and Russia, are ready to destroy all of humanity in order to destroy one another. The next absurdity is the “double life” we all lead, namely that ourselves and everyone and everything around us could be destroyed in an instant, yet we go about our lives as though “no such threat existed”. Another absurdity is the inability of our minds to come to terms with what a “nuclear holocaust” might look like, yet such imagining is necessary before humanity can really deal with its collective continued existence. As Lifton has written, “Our minds balk at

the simple truth that we are no longer talking about war or weaponry but about a technology of destruction so extreme, of such a quantum jump from anything we have ever known, as to border on the absolute”. The final absurdity is human kinds’ waiting for its annihilation to happen by using its resources towards annihilating itself rather than using those same resources from having it happen. As Lifton writes, “There is nothing on the order of vast, collective effort in which governments, leaders, gifted artists and thinkers, and ordinary people struggle together to head off the ultimate catastrophe.”<sup>5</sup>

### 3. The Increasing Danger of Nuclear Weapons

A further description of the current situation surrounding nuclear weapons is the increasing danger they pose. This increased danger consists of the proliferation of nuclear weapons among additional countries than just the US and Russia, some of whom have unstable or dictatorial governments, the destabilizing effect of technology such as smart weapons and missile defense, some of which make first-strike launch more likely, and the increasing conflict between Russia/China and the US.<sup>6</sup>

Perhaps the biggest danger is the increasingly complex nature of the nuclear weapons systems themselves and the inability of any one person or group to control them. Much of the problem is the increased automation of these weapons (see author’s paper “Automated Weapons Systems and the Launch of the US Nuclear Arsenal: Can the Arsenal Be Made Legitimate?”<sup>7</sup>) This automation increases the likelihood of accidental launch as seen in a recent near catastrophe at FE Warren AFB when because of a computer glitch the President was not able to communicate with 50 warheads in October 2013 (see author’s paper “Launch Facilities Down”<sup>8</sup>)

#### 4. Psychic Numbing

One might ask why these terribly dangerous weapons still exist? Part of the answer lies in various psychoanalytic defense mechanisms. These include repression, suppression, isolation, denial, undoing, reaction formation, and projection.<sup>9</sup> While it is not the intent of this paper to psychoanalyze society's behavior, it is informative to look at two of defense mechanisms to explain how nuclearism has persisted.

Repressing or suppressing thoughts about nuclear holocaust is required less one becomes overwhelmed by the inherent horror of these weapons. Denying the civilization ending features of these weapons by not thinking about them is another means of dealing with the horror. All of these defense mechanisms allows for one's emotional state to remain at a functioning level. It also brings on psychic numbing, or a state of mind as Lofton states where "One freezes in the manner of certain animals facing danger, becomes as if dead in order to prevent actual physical or psychic death. But all too frequently the inner death of numbing has dubious value to the organism. And it may itself become a source of danger."<sup>10</sup> Mankind's psychic numbing in his dealings with nuclear weapons is indeed "a source of danger".

Finally, even the language used in nuclear weapons treaties and the negotiations surrounding them has an numbing quality which belays and hides the horror associated with these weapons. Terms such as "nuclear exchange", "escalation", "yield", "counterforce", "counter value", "collateral damage", and "megatons" are all good examples. These clinical words allows the negotiators to talk without reference to billions of humans that would be wiped out in a few moments.<sup>11</sup>

#### 5. Nuclear Priesthood

Falk writes of the “nuclear priesthood” as follows: “If a modern society is to grapple with such complex and fundamental questions, then it will require the full vitality of its democratic process, which includes the creative influence of religious and cultural perspectives. The challenges posed by nuclearism are overwhelmingly questions of values, belief systems, and an underlying imagery of human destiny; specialized discourse contributes little to the resolution of such questions. And yet since the outset of the nuclear age, the basic policy has been set in secret by politicians and generals, reinforced in their biases by a vast corps of intellectual mercenaries (‘the experts’). As a result, the drift towards nuclearism has gone vitally unchallenged in the inner counsels of government. Those few experts who did not share the nuclearist consensus were kept out of the corridors of power, and since 1945 specialized discussion has focused almost exclusively on the proper size of the defense budget and how best to spend dollars available for military purposes”.<sup>12</sup>

It is these same “nuclear experts” who negotiate the arms control treaties to the exclusion of non-experts who are not conversant with the arcane terminology and concepts associated with nuclear weapons. This exclusion promotes the shibboleth that everything is under control and there is nothing to worry about. Arms control negotiations therefore become just another means of managing a problem similar to what any technical problem that might be confronted elsewhere in government or private industry.

#### 6. Decay of Democracy

More importantly is the decaying effect nuclear weapons have had on our democracy. The constant state of readiness required to launch the nuclear arsenal with a few moments notice has fundamentally altered the

relationship between Congress, and therefore the American people, and the Executive branch. Congress has for all intents and purposes given up its war making capacity thanks in large part to these weapons. This shift of power has also vitiated the ability of the American public to weigh in on these matters, aided in no small part by the secrecy that has surrounded these weapons from their inception.

Falk comments on this decay as follows: “Early in the atomic age the antidemocratic premise was tacitly adopted—that crucial decisions bearing on nuclear weapons development and strategic doctrine should be determined within the Executive Branch on the basis of secret and technical information. The cumulative effect of this concentration of authority is to subvert the healthy relationship envisioned by the Constitution between government and citizenry in the area of policy most crucial to the future well-being of American society. In effect, this characteristic non-accountability and non-controversiality of nuclear weapons policy naturally inclines policy in the directions favored by the militarist cast of mind, which enjoys a permanent presence in the bureaucratic structure that seems virtually unchallengeable even by elected political leaders, including the president, given the political climate and economic configuration of power that has up to this point existed in this country.”<sup>13</sup>

### III. Arms Control Treaties Actually Prolong Nuclearism

Nuclearism has and is playing a major role in arms control treaties. Historically, most attempts at achieving peace have occurred after some international crisis. Examples include the Peace of Westphalia after the Thirty Years War and the League of Nations and the UN Charter after



the last two world wars. Serious attempts at eliminating nuclear weapons only occurred after the world came close to nuclear annihilation after the Cuban Missile Crisis. An example of this is when Khrushchev wrote to Kennedy on October 28, 1962 in which he agreed to dismantle the weapons in Cuba: “If we, together with you...succeed in eliminating this tense atmosphere, we should also make certain that no other dangerous conflicts, which could lead to a world nuclear catastrophe, would arise.” Khrushchev also suggested an “exchange of views on the prohibition of atomic and thermonuclear weapons, general disarmament, and other problems relating to the relaxation of international tension”.<sup>14</sup> Kennedy replied by stating “I agree with you that we must devote urgent attention to the problem of disarmament...Perhaps now, as we step back from danger, we can together make real progress in this vital field. I think we should give priority to questions relating to the proliferation of nuclear weapons, on earth and in outer space, and to the great effort of a nuclear test ban”. Even then Kennedy hedged his pledge for disarmament by calling for a ban on testing nuclear weapons rather than their elimination.

Unfortunately for mankind this discussion of disarmament was short lived. A more accurate response to the Cuban Missile Crisis is the approach of arms control exhibited by the nuclear powers today. Rather than attempting to rid the world of these weapons through disarmament, the political leadership has tried to manage them through arms control. Although Obama mentioned eventually doing away with these weapons, both in his Nobel acceptance<sup>15</sup> and Prague<sup>16</sup> speeches he emphasized that nuclear weapons are here to stay and the US will resort to their usage if necessary. As he stated at Stockholm when he accepted the Peace Prize, “We must begin by acknowledging the hard truth: We will not eradicate

violent conflict in our lifetimes. There will be times when nations – acting individually or in concert – will find the use of force not only necessary but morally justified”.<sup>17</sup> Thus American policy as reflected in its arms control negotiations and its nuclear weapons policy<sup>18</sup> “have had as their objective making the world safer for nuclearism and should not be confused with reforms that might try to overcome nuclearism.”<sup>19</sup>

The arms control process required appeasement of the “nuclear priesthood” in the US by promising more monies being spent on more sophisticated weapons in order to maintain their vision of a secure country. Often these concessions negated the very aims that the treaties under consideration were trying to attain. An example of this appeasement occurred during the negotiation of the Limited Test Ban Treaty<sup>20</sup>, whereby the military was promised a substantial series of underground tests, as well as commitment by the Administration that future modernization of these weapons would be speeded up, thereby accelerating the arms race rather than diminishing it.

A different way the arms control process actually accelerated the arms race can be seen with SALT 1. SALT1 enabled the nuclear hawks to argue that the Soviets got the better of the deal, requiring increased defense spending, and questioning whether the arms control process was not detrimental to US interests, further establishing the role that nuclear weapons played in maintaining the US national security.<sup>21</sup> Another treaty that should be discussed, and perhaps the most important treaty curtailing the spread of nuclear weapons, is the Non-Proliferation Treaty (NPT).<sup>22</sup> The NPT was an attempt at restraining the spread of nuclear weapons by having non-nuclear states renounce their obtaining nuclear weapons in exchange for the nuclear weapons states achieving disarmament.<sup>23</sup> This treaty, however, has been complied with on an

exception rather than full commitment basis. As an example, the SALT (Strategic Arms Limitation Talks) which followed the NPT changed the emphasis from disarmament to the nuclear states maintaining their dominance in world affairs by managing these weapons through establishing high levels of categories of nuclear weapons systems, essentially changing the quest from elimination to a numbers game.<sup>24</sup>

#### IV. Obama Administration and Nuclearism

##### 1. Obama's Call for Eliminating Nuclear Weapons

President Obama famously stated in a speech in Prague “So today, I state clearly and with conviction America’s commitment to seek the peace and security of a world without nuclear weapons. I’m not naive. This goal will not be reached quickly—perhaps not in my lifetime. It will take patience and persistence. But now we, too, must ignore the voices who tell us that the world cannot change. We have to insist, “Yes, we can.”<sup>25</sup> Unfortunately, the Obama Administration has not lived up to these words.

In April, 2010, the Obama Administration issued the Nuclear Posture Review.<sup>26</sup> The NPR establishes the role that nuclear weapons will play in maintaining America’s national security. As stated by Moxley, adjunct Professor at Fordham University School of Law, the NPR lays out a zealous plan for arms control by “managing and reducing nuclear weapons risks, including those appurtenant to the numbers and types of nuclear weapons, the testing of such weapons, the production of fissile materials, the declaratory policy on the circumstances in which nuclear weapons might be used, and the maintenance of strategic relationships with potential adversaries. However, the Obama NPR is fundamentally inconsistent with President

Obama's stated objective of the elimination of nuclear weapons and with the United States' obligations under the NPT and IHL."<sup>27</sup>

Moxley goes on to write, "the NPR continues the United States core commitment to nuclear weapons as essential to US national defense and its allies: the United States will retain nuclear weapons-as many of them as it thinks it needs at any particular time-for the indefinite future. In the process, it will spend hundreds of billions of dollars upgrading and modernizing its unclear arsenal for decades to come. This is not a nuclear posture that moves towards abolition. The NPR's unmistakable premise of the utility, legitimacy, and effectiveness of these weapons is the very antithesis of a commitment to their abolition. As long as the US nuclear policy remains, there will be no nuclear abolition-and the continued proliferation of nuclear weapons can be expected except to the extent the United States or other states are able to stop it in individual instances through pressure, threat or force. Profoundly missing in the Obama NPR is any recognition that these weapons threaten human existence. The ultimate premise of the posture is that a state may-without legal or moral restraint-risk the annihilation of human life to foster its own national objectives. Equally troubling is the Obama NPR's utter failure to acknowledge, let alone consider, the requirements of international law applicable to the use and threat of use of nuclear weapons-requirements that the United States knows to be legally binding and applicable to its nuclear posture, including its day to day policy of deterrence. The Obama Administration is continuing the monumental risk to human health and survival that nuclear weapons represent."<sup>28</sup>

Moxley's reference to international humanitarian law (IHL) is exemplified by the Hague Opinion. The International Court of Justice issued an historic opinion on July 8, 1996 that held the threat or use of

nuclear weapons is generally illegal under international humanitarian law. The ICJ rendered this opinion because nuclear weapons contain “unique characteristics” such as “their destructive capacity, their capacity to cause untold human suffering, and their ability to cause damage to generations to come”. The opinion went further by stating their “destructive power...cannot be contained in either space or time”, as well as “releas(ing) not only immense quantities of heat and energy, but also powerful and prolonged radiation...affect(ing) health, agriculture, natural resources and demography over a very wide area... (including) the future environment, food and marine ecosystem, and to cause genetic defects and illness in future generations”.<sup>29</sup>

The ICJ further stated in its opinion that IHL states in part the “methods and means of warfare, which would preclude any distinction between civilian and military targets, or which would result in unnecessary suffering to combatants, are prohibited. In view of the unique characteristics of nuclear weapons,...the use of such weapons in fact seems scarcely reconcilable with respect for such requirements.”<sup>30</sup>

Perhaps the most important aspect of the Court’s opinion is its statement that “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”<sup>31</sup>. The Court further stated that Article VI of the Nuclear Non-Proliferation Treaty has established “an obligation to achieve a precise result-nuclear disarmament in all its aspects-by adopting a particular course of conduct, namely the pursuit of negotiations on the matter in good faith”<sup>32</sup>. As will be further seen below, the Obama Administration is not pursuing nuclear disarmament in good faith.

## 2. The Hypocrisy of the Nuclear Agreement With Iran

It is against this background that the recent agreement with Iran must be analyzed. The agreement, commonly referred to as the Joint

Comprehensive Plan of Action or “JCPA”, states in part that “Iran reaffirms that under no circumstances will Iran ever seek, develop or acquire any nuclear weapons.”<sup>33</sup>. The Agreement does allow “Iran to fully enjoy its right to nuclear energy for peaceful purposes under the relevant articles of the nuclear Non-Proliferation Treaty (NPT) in line with its obligations therein, and the Iranian nuclear programme will be treated in the same manner as that of any other non-nuclear-weapon state party to the NPT.”<sup>34</sup> The Agreement further states that “The E3/EU+3 and Iran acknowledge that the NPT remains the cornerstone of the nuclear non-proliferation regime and the essential foundation for the pursuit of nuclear disarmament and for the peaceful uses of nuclear energy.”<sup>35</sup> So far so good. But a more discerning review of the agreement and what lead up to it, as well as the current state of affairs regarding nuclear weapons in the United States, reveals a heightened level of hypocrisy which furthers nuclearism in this country.

The United States and its allies used economic sanctions to bring Iran to the negotiating table. At the same time the United States maintained its hegemony as the major nuclear power in the world. Perhaps more importantly is the lip service paid by the Obama Administration in adhering to the NPT and the quest for the elimination of nuclear weapons, while at the same time spending billions of dollars in modernizing its nuclear arsenal. Once again a nuclear weapons arms control agreement has actually furthered nuclearism in this country, by giving cover to an Administration stating its desire to achieve disarmament while at the same time making its nuclear arsenal more effective.

The United States is currently developing its first precision-guided nuclear bomb (B61-12) which has a computer on board enabling the user

to dial up or down the yield of the weapon, as well as maneuverable fins which will enable it to destroy targets deep underground. These “improvements” to the US nuclear arsenal make it more likely that an American President would resort to their usage, thereby making it easier to cross the nuclear threshold. Knowing that high accuracy and less destructive settings could be obtained because of the fallout, a President may be more willing to authorize their use. Incidentally, the B61-12 is but one of five new warheads which are in the \$1 trillion program to revitalize the US nuclear arsenal. All five warheads and their delivery systems are designed to make them smaller, more stealthy, more precise, and more easy to use.<sup>36</sup> This in direct contravention to the Obama promise not to develop or depoly new warheads.<sup>37</sup>

Perhaps a more dangerous development in the Obama Administration is the Air Force request for 1000 air launched nuclear tipped cruise missiles (ALCM). Such a weapon could easily be deployed by a President to fight a limited nuclear war. Indeed, Frank Kendall, Undersecretary of Defense for Acquisition, Technology and Logistics, has stated having these weapons would provide the United States “uniquely flexible options in an extreme crisis, particularly the ability to signal intent and control escalation.”<sup>38</sup> Unfortunately, because an adversary could not tell the difference between a conventional and nuclear tipped missile, a country against whom the missile is targeted could think the worse and respond with a nuclear device, thereby starting a more general nuclear war.

As far as nuclear weapons treaties are concerned, the planned acquisition of the nuclear tipped cruise missiles uses a loophole in New Strategic Arms Reduction Treaty (New START) similar to MIRV’s under previous treaties. More precisely, because New START does not

limit the number of weapons a US bomber can carry and each bomber is counted as one warhead towards the limit of 1,550 deployed warheads, a bomber could carry numerous cruise missiles as well as gravity bombs and still be within the treaty. This is going in the completely opposite direction from the purpose of the NPT.<sup>39</sup>

While two wrongs do not make a right, Iran has recently test fired ballistic missiles.<sup>40</sup> These tests appear to be a violation of a UN Resolution regarding ballistic missiles.<sup>41</sup> The Iranians argue that since they do not have nuclear weapons their missile program is not violating an resolutions or treaties. Putting this specious argument aside, it is clear however that the US is in a weakened position to condemn the Iranians about their exploits given the behavior of the US regarding its nuclear weapons program as indicated above.

## V. Conclusion

Paradoxically, the nuclear weapons treaties negotiated to date actually prolong the role of nuclear weapons. Rather than achieving nuclear disarmament as required by the NPT, the United States and the other nuclear weapons states have used these treaties as a cover to continue their quest for more sophisticated weaponry in complete denigration of the NPT. It is only when the US and the rest of he world, including non-NPT signatories, give up these weapons that the world stands a chance of avoiding a horrific ending as we know it.

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<sup>1</sup> Quoted in Gar Alperovitz, Atomic Diplomacy: Hiroshima and Potsdam, (New York: Simon & Schuster, 1965), pp. 276-279)

<sup>2</sup> Indefensible Weapons: The Political and Psychological Case Against Nuclearism, Robert Jay Lifton and Richard Falk, Basic Books, 1982, p. ix

<sup>3</sup> Ibid, Lifton and Falk, p. x

<sup>4</sup> Ibid, Lifton and Falk, p. 3

<sup>5</sup> Ibid, Lifton and Falk, p. 5-6

<sup>6</sup> Ibid, Lifton and Falk, p. 9

<sup>7</sup> "Automated Weapons Systems and the Launch of the US Nuclear Arsenal: Can the



Arsenal Be Made Legitimate?” , Jules Zacher, February 6, 2016

<sup>8</sup> “Launch Facilities Down and FOIA: A Case Study in Using Litigation to Achieve a Nuclear Weapons Free World”, May 18, 2012, Jules Zacher

<sup>9</sup> Ibid, Lifton and Falk, p. 103

<sup>10</sup> Ibid, Lifton and Falk, p. 104

<sup>11</sup> Ibid, Lifton and Falk, p. 107

<sup>12</sup> Ibid, Lifton and Falk, p. 137

<sup>13</sup> Ibid, Lifton and Falk, p. 205

<sup>14</sup> Robert F. Kennedy, Thirteen Days: A Memoir of the Cuban Missile Crisis, New York; WW Norton & Co., 1969, p. 208

<sup>15</sup> Nobel Lecture by Barack H. Obama, Oslo, 10 December 2009.

<sup>16</sup> “Remarks by President Barack Obama in Prague as Delivered, April 5, 2009”, <http://www.whitehouse.gov/the-press-office/remarks-president-barack-obama-prague-delivered>

<sup>17</sup> Ibid, Nobel Lecture by Barack H. Obama, Oslo, 10 December 2009.

<sup>18</sup> Nuclear Posture Review, US Department of Defense, April. 2010, [http://www.defense.gov/Portals/1/features/defenseReviews/NPR/2010\\_Nuclear\\_Posture\\_Review\\_Report.pdf](http://www.defense.gov/Portals/1/features/defenseReviews/NPR/2010_Nuclear_Posture_Review_Report.pdf)

<sup>19</sup> Ibid, Lifton and Falk, p. 228

<sup>20</sup> Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Under Water, <http://www.state.gov/t/isn/4797.htm>

<sup>21</sup> Ibid, Lifton and Falk, p. 235

<sup>22</sup> Treaty on the Non-Proliferation of Nuclear Weapons, United Nations, July 1, 1968, <http://www.state.gov/documents/organization/141503.pdf>

<sup>23</sup> TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS (NPT), UN Office for Disarmament Affairs, <http://www.un.org/disarmament/WMD/Nuclear/NPT.shtml>

<sup>24</sup> Ibid, Lifton and Falk, p. 234

<sup>25</sup> Barack Obama, U.S. President, Remarks at Hradcany Square, Prague, Czech Republic (Apr. 5, 2009), *available at* [http://www.whitehouse.gov/the\\_press\\_office/Remarks-By-President-Barack-Obama-In-Prague-As-Delivered](http://www.whitehouse.gov/the_press_office/Remarks-By-President-Barack-Obama-In-Prague-As-Delivered).

<sup>26</sup> “Nuclear Posture Review Report, June 2010”, The Department of Defense, [http://www.defense.gov/Portals/1/features/defenseReviews/NPR/2010\\_Nuclear\\_Posture\\_Review\\_Report.pdf](http://www.defense.gov/Portals/1/features/defenseReviews/NPR/2010_Nuclear_Posture_Review_Report.pdf)

<sup>27</sup> “Obama’s Nuclear Posture Review: An Ambitious Program For Nuclear Arms Control But A Retreat From The Objective Of Nuclear Disarmament”, Charles J. Moxley, Jr., *Fordham International Law Journal*, Vol. 34, 734-775, p. 736

<sup>28</sup> Moxley, Ibid, p.774-775

<sup>29</sup> *Legality of the Threat or Use of Nuclear Weapons*, International Court of Justice, General List No. 95 (Advisory Opinion of 8 July 1996), Paras. 35, 36

<sup>30</sup> *Legality of the Threat or Use of Nuclear Weapons*, International Court of Justice, General List No. 95 (Advisory Opinion of 8 July 1996), Paras. 95

<sup>31</sup> Dispositif, para. 2F

<sup>32</sup> *Legality of the Threat or Use of Nuclear Weapons*, International Court of Justice, General List No. 95 (Advisory Opinion of 8 July 1996), Paras. 99

<sup>33</sup> "Joint Comprehensive Plan of Action" signed by the E3/EU+3 and the Islamic Republic of Iran, Vienna, Austria, July 14, 2015, Preface, <https://assets.documentcloud.org/documents/2165399/full-text-of-the-iran-nuclear-deal.pdf>

<sup>34</sup> Ibid, "Joint Comprehensive Plan of Action", Preface, Section iv.

<sup>35</sup> Ibid, "Joint Comprehensive Plan of Action", Preface, Section vii.

<sup>36</sup> "As US Modernizes Nuclear Weapons, 'Smaller' Leaves Some Uneasy", William J. Broad and David E. Sanger, *New York Times*, January 11, 2016

<sup>37</sup> "Making Smart Choices: The Future of the U.S. Nuclear Weapons Complex", Union of Concerned Scientists, October 2013, Revised March 2014, p. 1

<sup>38</sup> As quoted in "Air Force Wants 1000 New Cruise Missiles", *Arms Control Today*, May 7, 2015, Kingston Rief

<sup>39</sup> Ibid, "Air Force Wants 1000 New Cruise Missiles"

<sup>40</sup> "Iranians Unit Tests Missiles, Accusing U.S. of Threats", *New York Times*, Thomas Erdbrink, March 8, 2016

<sup>41</sup> United Nations Security Council Resolution 1929, [https://www.iaea.org/sites/default/files/unsc\\_res1929-2010.pdf](https://www.iaea.org/sites/default/files/unsc_res1929-2010.pdf)