

PANEL FIVE

APPROACHES FOR ADVANCING THE RULE OF LAW
AND MORALITY AS CONCERNS NUCLEAR WEAPONS

*Moderator: Prof. Charles J. Moxley, Jr.**

Panelist: Laurie Ashton; Jacqueline Cabasso*; Rev. Drew Christiansen, S.J., Ph. D.**; Tom Z. Collina++; Audrey Kitagawa+++*

CHARLES MOXLEY:

The next panel, as we've conceptualized it, is the "so what" panel. We've gone through the day, we understand that there is law that covers the nuclear weapons issue. There are UN instruments, treaties, conventions, and the law of armed conflict, which is a huge body of rules, along with a body of political commitments, as Jonathan said. But the fact is that there is a large body of restraints and recognized limitations on the potential use of nuclear weapons. The question is, how do we operationalize this? How do we get enforcement of this law, make it count? What are the options? This is focus of the next and last panel. It's a long panel. We've allowed for almost two hours. And then we'll have some closing comments. But this panel says, "Okay, what do we do with all of this?" I'm happy to introduce our wonderful group of speakers.

The way we divided this up is we've identified some topics which you can see in the agenda for today. The first category is built around court proceedings, civil and criminal, the potential for civil

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litigation, defense of protestors, shareholder litigation, shareholder resolutions, FOIA requests, and the like. A whole range of potential legal approaches that might be taken civilly and criminally. There's a potential for universal jurisdiction which comes under the litigation/legal side of things. There are also areas of civic advocacy that can be explored. Political action. Election of legislators and prosecutors who are interested in enforcing this law and even judges. Civic engagement. And very importantly, something that was important during the Cold War, the engagement of major faith groups.

We're going to introduce these topics and the speakers are going to take the lead on this, and then we'll have a discussion on each topic. I invite everybody to look at the detailed speaker bios that are in the materials, but I'm going to quickly introduce them. We'll start with the legal side, and followed by the civic and the political engagement and so on, going through all the topics. The first speaker is Laurie Ashton, who is a litigator. Laurie is an attorney who has been very active in the international law space, including representing the Marshall Islands in cases we heard some about today involving NPT compliance. Laurie will tell us more about that and numerous other areas of engagement through law. And there's a lot to do there. We're going to try to be very practical and assess how we get around the various barriers to justiciability.

Next is Jackie Cabasso, who has been a leader in the protest movement for many causes for a long time. It's an extraordinarily admirable career and life, and a sort of an institutional memory of what's been done and what's possible. Jackie has some insights that I think we'll all find very inspiring in terms of how action can be taken hopefully going forward to do the kinds of thing that Governor Brown was talking about, to begin to raise consciousness of the issue, for example.

Reverend Drew Christiansen, a Jesuit priest and faculty member at Georgetown University, is a leading spokesperson within the Catholic Church in the areas of nuclear weapons and arms control and related questions of morality and civic responsibility. We'll hear about his work in this area. Father Christiansen has a PowerPoint which will illustrate the history of the extraordinary action by the Roman Curia and the Catholic Church during the Cold War and since then, making

pronouncements about nuclear weapons. There's a real potential to try to address nuclear weapons issues that way.

Tom Collina is very well known in this field to everybody engaged in it. His recent book, written with William Perry, *The Button*, is one we've all either read or are in the process of reading or getting ahold of. The full title is: *The Button: The New Nuclear Arms Race and Presidential Power from Truman to Trump*. Tom is director of policy at the Ploughshares Fund and has been a thinker, writer and speaker on these topics for a long time. He will talk with us about potential approaches with the Biden administration. What can we do going forward? What can we hope for? How can we optimize the prospect—Governor Brown also talked about this—of getting that Administration fully engaged on these issues?

Audrey Kitagawa is going to be an extraordinary speaker this afternoon as the Chair of the Board of the Trustees of the Parliament of the World's Religions and many other positions, including at the UN and internationally—too many to list in this brief intro. Please look at Audrey Kitagawa's bio; it's absolutely extraordinary. For the kind of new thinking that Governor Brown was talking about, in terms of how we can change our mindset, I think Audrey is one of the real voices that we're going to learn from and she'll help a lot of us. It's hard to break out of our patterns of thinking at times, but that seems to be the challenge. So, I think, Laurie, you're going to lead off and talk about the legal side?

LAURIE ASHTON:

Okay, here we go. Thank you for that introduction and thank you for asking me to be part of this event. Given the timing, I'm going to try to do a top-line analysis of the litigation issues. I've been invited to speak not as a weapons expert or a policy expert but as a litigator who has brought cases against weapons manufacturers, against other nations in the International Court of Justice and domestically. I notice we've got three or four, maybe even five, members of the team that represented the Marshall Islands at the International Court of Justice online today so hello to all those folks. They'll see what a summary version I'm going to give of what we went through.

And I'd first like to say that in the field of the sticks and the carrots for trying to get humanity toward nuclear disarmament, litigation obviously falls on the sticks side. It has its advocates. It

has its detractors. There are certainly folks who think that you should not bring cases unless you can win them. I'm not in that category. I think that every good case deserves to be brought. I think that whether you turn out to be *Plessy v. Ferguson* or *Korematsu*, both of which were decided horribly, or whether you get to be *Brown v. Board of Education*, just depends on your determination and the existing state of the judiciary. So I think that if there is a good case that meets Rule 11 and the legal standard, the corresponding standard at the International Court of Justice, that it ought to be brought and that folks ought to be fearless and thinking way outside the box on what cases can be brought.

Obviously, if we are all rowing in the same direction and the nuclear weapon states are all behaving in compliance with the '96 ICJ Advisory Opinion, then we don't need sticks, we don't need litigation, we don't need fines, we don't need injunctions, we don't need penalties, we don't need to stigmatize the states with nuclear weapons. And if appeals to the moral dimension and reducing spending and increasing national security were enough, we would not be where we are. Those are all very important and we're going to hear more about those. But they are not currently getting us where we need to be. And if you were on this seminar earlier, you were able to hear from Dr. Ford which was fascinating, who told us with a straight face that there is not even a scintilla of a hint of a customary international law obligation to disarm nuclear weapons. Needless to say, I don't think that's right under the '96 ICJ Opinion and it just shows that there is a place for litigation and that we do need to find a way to bring folks like Dr. Ford and others that believe that way to the table to negotiate.

And speaking of bringing folks to the table, one benefit I will say right off the top that litigation has that some of the other fabulous work that everyone does does not offer, is that when you sue someone, they have to answer. It's a very basic thing, but we can write, and we can put out fantastic reasoning, and we can put out fantastic articles and books, and I try to read them all, but the United States of America, the current administration, does not have to read them and they don't have to answer them. But when you sue, a defendant, a weapons manufacturer, the United States, the United Kingdom, et cetera, they do have to answer. So that's an upside to litigation right there.

So I'm going to go very quickly through four categories. First, I'm going to tell you what we did at the International Court of Justice for the Marshall Islands. Second, I'm going to tell you what we did in the domestic United States Courts on behalf of the Marshall Islands. Third, I'm going to summarize very briefly some things I think we can still do going forward, today, at the ICJ. And fourth, I'm going to summarize very briefly some things I think we can still do going forward domestically in the United States, which I think is relevant to this seminar given what Hans Kristensen reminded us all of, which is that the 900 pound gorilla in the room of the nine nuclear weapon states is the United States. So very briefly, I'll provide a summary of those four categories.

At the International Court of Justice, I was one of the first lawyers to put a team together to represent the Marshall Islands, and I'd like to give a nod to David Krieger here who was a long-time friend of the foreign minister of the Marshall Islands, Tony de Brum, and the organization he founded which is the Nuclear Age Peace Foundation. On behalf of the Marshall Islands, we brought proceedings against the United Kingdom for breach of the NPT, arguing that they were failing in their obligation under Article 6 as well as their obligation under customary international law as set forth in the '96 ICJ Advisory Opinion. And just a side note here that hasn't been mentioned so far, while the '96 Advisory Opinion is great in many respects and challenging in many respects, it is advisory, which is to say that the United States and the other nuclear weapon states can say, in some ways correctly, that the opinion is not binding on them as an advisory opinion. So that is what you hear, unfortunately. And of course, the parties to the UN Charter, all of them solemnly promise to enforce decisions of the ICJ that they're a party to, but they arguably don't solemnly promise to follow advisory opinions. That's a gap that we all should be aware of.

So at the ICJ, the Marshall Islands also filed proceedings against India and Pakistan for breach of their customary international legal obligation to negotiate nuclear disarmament in good faith. Now we also filed applications against the other nuclear weapon states and invited them under the ICJ rules to voluntarily appear and respond, but because they do not officially consent to the jurisdiction of the ICJ, they were not obligated to respond. They were invited to and allowed to respond, and so they could have

showed up and responded, but they were not required to and we knew that going in. So the three states required to respond were the United Kingdom, India, and Pakistan.

Now again, just a summary, the respondent nuclear weapon states raised many arguments. They raised preliminary objections regarding whether there was even any dispute, whether the Marshall Islands had standing to bring the claims, whether they were time-barred, whether there were necessary absent third parties such as the other states with nuclear weapons, whether the obligation under Article 6 was *erga omnes partes*. Many objections. And these objections are all available for your review online in the briefing at the ICJ website, which is one of the best websites around, as an aside.

The Marshall Islands case against the UK was lost on the preliminary objections with eight judges in favor of our position and eight judges against our position. And of course, I would emphasize that there were therefore, eight justices out of sixteen that thought the case should go forward to the merits. The countries of the P5 each had a judge appointed to the ICJ, so a total of five of the eight who did not think the cases should go forward, which only highlights the issue of whether the P5 should all have standing seats on the ICJ. On that point, notably, since that decision in 2016, the UK has actually lost its seat on the ICJ. So there are just judges from four of the countries of the P5 on that Court now. Tie votes on the ICJ, which is an eight to eight vote like we had at the ICJ, are broken by whoever happens to be the president of the ICJ at the time of the vote, which was Judge Ronny Abraham from France in our case. The current president is from Somalia, and he was one of the eight who voted in our favor, so you can imagine how important that tie-breaking power is. Several of the judges wrote opinions, some very lengthy, objecting to the resolution of the case, all of which are likewise available on the ICJ website. And in those opinions, they alluded to the fact that the case could be rebrought, either by the Marshall Islands or by another applicant state, and that the objections that the respondent nuclear states had could be cured going forward. And so that's a matter of public knowledge now—that those cases could be rebrought and the objections could be cured. The UK has since changed its consent to jurisdiction so there's an extremely high hurdle against re-bringing the case against the UK. But the other cases could be re-brought

and that's something I think should be explored by the other states parties to the NPT.

The vote on the decision in the Marshall Islands cases against India and Pakistan was seven to nine. So seven judges thought those cases should go forward to the merits and again, the five sitting judges from the countries of the P5 were in the group of nine that did not think the cases should go forward. The reasoning in the majority opinions in all three proceedings — against the UK, against India, and against Pakistan — was the same: the judges did not think the Marshall Islands actually had any legal dispute with the respondent nuclear weapon states regarding compliance with the NPT, which seemed in my opinion, and there's really no other way to say this—it seemed ridiculous. But that is what they ruled.

So I'm going to slip over now really quickly to the case that we brought in the domestic courts of the United States. It was a similar case. It was the Marshall Islands versus the United States for breach of Article 6 of the NPT. That case took three and a half years. Similar objections were made. The lower court found that whether the treaty was self-executing was irrelevant because it was between treaty parties. So they agreed with the Marshall Islands on that, but found that whether the United States was in compliance with the NPT was a political question and therefore could not be decided by a court.

On our appeal, the Ninth Circuit took a slightly different tact. They misconstrued the meaning of the word “undertakes,” in the NPT, which is in many treaties, including the most recent treaty and in Article 6 of the NPT. The Ninth Circuit found that word hortatory, which is to say aspirational, even though the international law is clear that when you use the word “undertake” in a treaty, it means solemnly promise, not merely an aspirational expression. But the United States courts thinks that it means you're aspiring to do something in the future. I think that it's well-documented that the Marshall Islands had a change of leadership during this litigation and that's one of the challenges that folks have in representing microstates: the leadership in some situations changes frequently. And that can affect the direction of a litigation. The Marshall Islands did not seek Ninth Circuit *en banc* review, and so the proceedings ended there. Is there an opportunity for another case to be brought like that? Sure. But the challenge is you need countries that are willing to stand up to the military industrial

complex. And it's very hard to find folks in top leadership positions in countries that are brave enough to do that because of what was said earlier about the financial stranglehold that the United States has on so many microstates.

So very quickly, Charlie, tell me if I'm running out of time. But very quickly, what else can we do in International Court? What can be done at the ICJ? I'll just run through some quick things. I don't think we'll be able to get into these in-depth but some quick things that can be done. Number one, this issue of whether the P5 should have ongoing permanent representation on the Court. That was eroded somewhat with the UK losing its seat on the Court, but we still have four of the P5 holding their seats from the beginning of the Court through the present. Is that fair? Should judges from other states be considered instead? What work can be done around that issue? Number two, more scholarship around the meaning of the word "undertakes" in treaties is needed, because it is so fundamentally misunderstood amongst the state parties, and by the domestic courts in the United States. Maybe that could be something in a future NPT review conference. Number three, what could be done to discourage use of the defense industry's language on whether the arms race has ended, and rather encourage people to speak to the fact that horizontal proliferation is, in fact, arms racing. Number four, obviously, what are the best ways to be working with the new treaty to ban nuclear weapons and moving that forward to the status of customary international law. That's probably going to take time. The United States is not going to join that treaty, which would require Executive assent and Senate consent, but there are examples of other treaties that have become the law in the United States without the United States joining them. For example, the Vienna Convention on the Law on Treaties is the law in this country - the United States—and we are not a party to that treaty. So it can happen - a treaty can gain the status of law in the United States without it becoming a party to it. Number five, there's much written about whether the weapons in Belgium and the Netherlands are legal under the NPT. No one has brought that case to the ICJ or any other court. Number six, as I alluded to earlier, the cases against Pakistan and India under the customary international law obligation to negotiate nuclear disarmament in good faith could be brought at the ICJ; at least some of the ICJ judges in the Marshall Islands case against India and Pakistan implied that

they could be brought again. And then finally, number seven, there's currently a case pending against Myanmar brought by the Gambia in which one of the defenses is whether the Genocide Convention includes obligations that are *erga omnes partes*. That's the same jurisdictional objection that we encountered in the Marshall Islands NPT case. Countries can intervene in the Gambia v. Myanmar case and express their opinion that those obligations are indeed *erga omnes partes*, which is to say anybody can file an application to enforce them without a need to show any more specific harm to the country seeking to enforce the obligation. The harm doesn't have to be happening to you in real time. And then quickly Charlie, to your point of whether additional domestic cases could be brought in the United States, certainly they can. There have been at least three cases in the last year that have been successful in the domestic courts of the United States against nuclear weapons manufacturers.

One, the Oak Ridge, Tennessee case was an environmental case relating to the fact that they were modernizing weapons and their environmental impact statement was not current with their modernization and the plaintiffs won. That issue, I think, applies everywhere where weapons are being modernized. So that is a wide-open field with precedent in favor of the plaintiffs and in which additional cases could be brought. Two, the Hanford Litigation was this year, where the court applied a Washington law that presumptively linked nuclear weapons and waste exposure to a long list of diseases, and where the plaintiffs prevailed at the Ninth Circuit. So that type of statute presumptively linking exposure to illness could be replicated in each state that has workers exposed to those elements in the Ninth Circuit; and there is already binding precedent applying that kind of statute. Number three: shareholder derivative suits for illegal conduct by the board of directors and the officers. And number four, there is not precedent on this but certainly a wide-open arena for 10b-5 disclosure cases for the top weapons manufacturers and whether they are disclosing sufficiently what kind of weapons and wastes they're making and what the effects of them are. So I could go on at length but I'm going to stop there.

CHARLES MOXLEY:

There's a lot there. And let me just say, we still have 130 people here, and we hope not only to have future programs, but to enlist people in activity. So, anyone who'd like to work on litigations or would like to be part of some effort of investigating aspects of nuclear weapons issues or discussing them, send us an email and we'll try to get it around to people who can operationalize it.

We're now going to hear from Jackie Cabasso. I think it's fair to say there's really no one in the world who knows more about organizing. Just in our prep session we heard so much content from Jackie, it could have gone on for five hours. So, Jackie, give us your view of the history and your thoughts and comments, on what you see as avenues where we can address these issues going forward.

JACQUELINE CABASSO:

I'm not a lawyer, but I've worked at the intersection of law and anti-nuclear activism for more than 35 years. So for me, law is integral, and in my experience, what I have learned is that litigation and other forms of legal work and legal advocacy are most effective when coupled with a vibrant social movement that can help amplify the messaging and open space for lawyers. We had that kind of a movement in the 1980's and to some extent in the 1990's. We don't have that now. And so our action item, I believe, first of all, is to build the kind of social movement that we are going to need to prevail. Which means it cannot be a single-issue movement, and I'll come back to that.

But let me just give you a little bit of my history and experience. Let me also say that by definition, Western States Legal Foundation, which was founded in 1982 to defend non-violent anti-nuclear protestors, one of whom was me - that's how I got into this - has always seen itself as at the service of the social movement. And so, the social movement has risen and declined and risen and declined. And that has, to a large extent, shaped our activities over the years.

I had no legal experience previously, but my first recognition of the relationship between nuclear weapons and law began on June 21, 1982, when I was among more than 1300 people arrested, nonviolently blockading the gates to the Livermore Nuclear Weapons Lab in northern California. Some people on this call may remember that on June 12 of that year one million people filled

New York City's Central Park during the United Nations Second Special Session on Disarmament. At Livermore we were charged with a traffic infraction for blocking traffic but spent three days jailed in an old military barracks before being arraigned. Though I had no background in law, I nearly choked on my no-contest plea, feeling that I had done nothing wrong and that the criminals were on the other side of the fence developing weapons of mass destruction.

On June 20, 1983, the following year, I was arrested again at the Livermore Lab - one of 1,066 arrestees who had come to the lab to nonviolently put a stop to business as usual, at least temporarily. This again, was one of dozens of international days of disarmament actions that took place around the world. I think the size, the number of arrestees - which is like a fifth of the number of participants - gives some idea as to the scale of the social mobilization at that time. This time we were jailed in actual circus tents erected on the local jail grounds because there were too many of us to put in jail. And while we had expected to be charged with the same infraction we'd received the year before, the stakes had been raised and the sentence being offered to those who would plead no-contest was two days in jail and a \$250 fine plus two years' probation, which we perceived as a direct attack on the peace movement as it would place serious limitations on our protest activities.

Knowing that we had strength in numbers, we agreed that as many of us as possible—which turned out to be more than a thousand—would refuse to go to arraignment until we were offered a sentence we felt was reasonable in relation to the charge. After 11 days, a much-reduced sentence was offered to those who would plead no-contest. But while we were in the tents, some of us had begun to talk about the possibility of pleading not guilty and going to trial because we recognized that the courtroom was another realm where we could work for peace and disarmament. Western States Legal Foundation, which was newly established, and which was part of the legal collective providing support to the protestors, agreed to represent those of us who wanted to participate in a mass trial. A novel representative trial was negotiated by our lawyers and the district attorney. Eleven "representative" defendants, chosen by the larger group, would stand trial and I was one of the eleven. The other 224 defendants

agreed to be bound by the verdict, even though they had been blocking gates and roadways miles apart in some cases, using different creative, nonviolent tactics. Not wanting to get sidetracked by the legal technicalities, we had agreed in pretrial negotiations to stipulate the defendants had been in the road. The group of representatives, lawyers, and actively participating defendants worked closely together making all decisions by consensus, which was our preferred method. Even our jury selection was done by consensus. The equal relationship between lawyers and defendants was an important aspect of the trial.

We were charged with willfully and maliciously obstructing the roads near the Livermore Lab - a California misdemeanor. We had planned for a trial lasting upward of two months, and we had prepared evidence about the Lab's leading role in the development of nuclear weapons, its violations of international law, and the imminent danger we were all facing because of these weapons. Our experts who were ready to testify included a former California Supreme Court Justice, a U.S. prosecutor from the Nuremberg Trials, prominent scientists and politicians, a Hiroshima survivor, and others. The trial took place in a makeshift courtroom at the county fairgrounds because there wasn't a large enough courtroom in Livermore to house all of the defendants and prospective jurors. Jury selection took two weeks.

I pause here for a moment to say, imagine this happening now. It can't . . . I can't imagine it happening now. But this is what was possible because of the social movement. I'm talking about the scale and so on. The DA presented his case, a half-day of testimony by several arresting officers. When our first expert witness was called to the stand, the DA immediately objected. Our attorneys made their offers of proof. Three defenses were presented, and the jury was dismissed for the day. This is directly relevant to today's conference. Our international law defense contended not only that nuclear weapons are illegal under numerous international treaties banning genocide, mass poisoning, and targeting civilian populations, but that the Nuremberg Charter, ratified by the U.S., mandates a right of resistance to international law violations. The defense of necessity, long-established in common law, allows a statute to be broken in order to prevent serious and imminent harm. And finally, our attorneys argued that we should be allowed to present evidence about our state of mind, as we were charged

with willfully and maliciously obstructing the free movement of persons. We contended that “maliciously” meant more than just intentionally, a meaning already covered by the word “willfully,” and that our state of mind was not malicious.

The next day, the judge ruled out all three defenses and because of the stipulation that we had sat in the road, we were essentially denied the opportunity to present any of the concerns that had brought us to the courtroom. We decided that the most powerful statement we could make was to not testify at all. After three hours of deliberations, the jury found us guilty. About six months later we were sentenced, and the defendants made statements for the entire day. I’ll just read you one sample short excerpt from a sentencing statement, to show you how relevant the international law piece was to the defendants.

This particular defendant said: “In 1946, I went to Germany to work for the war crimes commission as a stenographer. I followed the trials there. Our government and the governments of other countries of the world were trying German officials and German officers for what they called crimes against humanity. The people gave, as their defense, that they were obeying orders of their government. But the reply was that if you perform acts that are against international law, you are a criminal. And our government now and other governments in this world, are breaking international law. They are creating weapons which would kill many more than the millions of people that were killed in Germany. So it is, I believe, the duty, the patriotic duty of every person, to protest against that.”

This trial and the sentencing and all of the developments around it got extensive media coverage and involved hundreds of people through the entire process. For me and the other defendants, the experience of the trial was life-transforming. The legal defenses we developed in partnership with our lawyers gave me a powerful new language to express my moral outrage, and a deeper understanding of the role of social movements that has stayed with me and grown for all of these years.

CHARLES MOXLEY:

How do you see what can be done going forward? How do we get people interested?

JACQUELINE CABASSO:

I want to mention two points about things that have been talked about. The 1996 International Court of Justice Opinion; I was there to help with the legal team, and it was very thrilling to me to see the same arguments that my lawyers had made on my behalf at Livermore being made on behalf of these countries in the International Court of Justice.

I think this is also very interesting and relevant regarding the role that international law can play. As the Malaysian representative told the ICJ, “our recourse to the Court now is with the full support of civil society.” Working with the non-aligned movement, a consortium of more than 700 groups around the world, formed the World Court Project. The World Court Project collected individual declarations of public conscious, condemning nuclear weapons as immoral and therefore, illegal, inspired by the Martens Clause in the Hague and Geneva Conventions, which provides that in the absence of a specific provision, the legality of a means of warfare is assessed in light of the dictates of the public conscious. More than one and a half million of those declarations were presented to the Court. Similarly, in connection with the 2014 Marshall Islands cases, there was the Nuclear Zero Campaign, which involved hundreds of organizations around the world and which collected five million signatures in support of the Marshall Islands.

These are three kinds of examples where law and social movements intersect. When we come back to it under civic engagement, I’d like to talk about Mayors For Peace and the Back From the Brink Campaign. But since you asked me to talk about where I think we need to go now, as I said, I think our challenge is to build a movement. And I don’t think we can build a single-issue movement. I truly believe we cannot build a single-issue movement, especially in the face of the multiple existential crises as well as the multiple domestic crises that we’re facing, which really are a matter of survival for a lot of our population. There is an emerging movement in the United States that I believe has the vision and potential to bring this kind of coalition together. It’s called “The Poor People’s Campaign: A National Call for Moral Revival,” which is picking up the unfinished work of Dr. Martin Luther King, Jr. When he was assassinated, during the first poor people’s campaign, Dr. King had identified the triple evils of racism,

poverty, and militarism, to which the Poor People's Campaign has added. Weaving together the interlocking injustices of systemic racism, systemic poverty, environmental devastation, militarism and the war economy, and a distorted moral narrative of Christian Nationalism, they're calling it a "moral fusion" campaign. Nuclear disarmament is in there, specifically in the Poor People's Moral Budget. It calls for cutting U.S. military spending by one half, \$350 billion, which is way more than any of the progressive U.S. peace groups are calling for, including by closing 60% of U.S. military bases, ending the wars in Iraq, Afghanistan, Syria, Yemen, and elsewhere, and dismantling and eliminating nuclear weapons. This campaign has active state-based organizations in 45 of the 50 United States. It's being supported by an extraordinary range of constituencies, including labor unions, faith organizations, racial justice, anti-poverty, environmental and peace groups and is building political power through its We Must do More campaign - mobilizing organizing, registering voters and educating. On June 20th, when there was supposed to be a mass mobilization in Washington, DC, because of the pandemic it was done virally and attracted some three million participants.

This movement has a lot of potential. I personally was involved in text banking before the election, and we reached out to 2 million people. This is the last thing I'll say right now. As a nuclear disarmament movement it is our responsibility, I think, to share our knowledge of the ever present and growing dangers of nuclear war with other issue constituencies. We need to work together to understand the common causes of the multifaceted crises we are facing with the Poor People's Campaign and others, to build a massive multi-generational, multiracial, international moral fusion movement. We will need to overcome systemic state violence in order to build a peaceful, just, sustainable, and inclusive world. I'd like to talk a little bit about Mayors for Peace if I get a chance later.

CHARLES MOXLEY:

Thank you so much, Jackie. I have to say that your point, that the way to effectuate change through civic action is through groups that are motivated by multiple issues, is a wonderful insight. This radiates from your background and really is not something that would not have been obvious to those of us who haven't been

spending their lives the way you have. It's because your experience is so based in reality, so that's wonderful.

JACQUELINE CABASSO:

Thank you Charlie.

CHARLES MOXLEY:

Tom Collina, are you good to go? Tom is going to talk to us about the Biden administration. He will address what we can expect and how we can get the most that we can get towards our goals related to the issues that we all care about.

TOM COLLINA:

Well Charlie, thank you very much. Hi everybody, Jonathan. Thanks for inviting me to be here. It's a pleasure and I look forward to talking with everyone and then hopefully having some time for Q&A afterwards because I love that part of these events as well. As Charlie said, I want to talk a little bit about what we can expect from the Biden-Harris administration. And a little context: You know, Joe Biden will be the next president of the United States regardless of what the current president says or thinks. And that's tremendously good news for a more progressive nuclear policy, but the picture is not perfect, right? We are still going to have a split Congress most likely, depending on what happens in Georgia. As most people know, there'll be a special election for two Senate seats in Georgia in early January.

Democrats have to win both of those seats to take over control of the Senate. And I'm not going to predict, but it would seem unlikely for both of those seats to go Democrat. So I would predict that we will have a split Congress, Republican Senate, democratic House, and that's going to limit what the Biden administration can do on things that require bipartisan agreement in Congress, particularly things that would require two-thirds majority in the Senate, for example treaties. So with those limitations, let me just say that there's a lot that a president, a committed president, which I think president Biden will be on nuclear risk reduction measures. There's a lot that a committed president can do by executive authority that doesn't necessarily require congressional approval.

And so I think that's where we have the most potential with a Biden Harris administration.

So what priorities might we see Biden-Harris administration pursuing on nuclear policy? Well, the first two I would put in the category of cleaning up the mess from the Trump administration. The Trump administration was handed a fabulously good deal on Iran, the Iran nuclear deal handed to it by the Obama administration and fumbled it and withdrew and things are much worse than they were before. So the Biden administration, Biden-Harris administration, needs to get back in to the Iran nuclear deal and work with Iran to come back into compliance. The administration, the president elect has said he would do that. So this is not an issue that we need to convince the new administration to do, but we need to watch and make sure that they do it expeditiously and do it right and make sure that it happens.

In the same theme of cleaning up the mess, the Biden administration needs to, within two weeks of inauguration, extend the New START Treaty, which is another thing that the Trump administration had plenty of time to do and failed to do. And so when Biden comes in, he will have 16 days to extend New START, hopefully without conditions and for the full allowed term of five years, which the Russians have said they're willing to do. Of course, this is the last remaining treaty that limits U.S.-Russian nuclear forces. And so it's essential that it get extended. And then to build on that, to go further, because we want to go further, if it's a treaty to go further, then that's going to have problems with the Senate that we expect to see. Now just those two things, New START and the Iran deal, getting those back on track would be tremendously important, but I hope you, and certainly not I, would be satisfied with just that.

We want to go beyond that. We want to move from sort of getting back to neutral to making forward progress. And so to me, what I'm looking at is things that would address the danger that Bill Perry and I wrote about in our new book, *The Button*, addressing the danger of blundering into nuclear war by mistake. And this is what we see, frankly, as the greatest threat facing the United States today. There could be a false alarm caused, for example, by cyber-attack, and the president would have just minutes to decide whether the attack is real or false. And if he makes the wrong decision, he could launch nuclear war by mistake

in response to a false alarm. This is certainly something that President Trump could have done, particularly given the fact that he and all presidents have and have had sole authority to launch nuclear weapons with no checks or balances from anybody else, not the administration and not in Congress.

And so, we want to make sure or push the incoming Biden administration to address and reduce the dangers of blundering into nuclear war. So there's three things in particular that we would like to see the new administration do. One would be ending sole authority. In other words, the authority to use nuclear weapons first should be shared with Congress. There should be no sole presidential authority for first use, and we should also prohibit first use in a blanket way. And this is something that there is some hope for. The Biden campaign and Vice President Biden himself at the time spoke in favor of the sole purpose of nuclear weapons. In other words, the sole purpose of nuclear weapons should be to deter their use by others. To me, this is very close to a no first use announcement and we need to work with the new administration to make sure that a sole purpose policy is equivalent as much as possible to a no first use commitment.

And again, that would eliminate the sole authority of the president to use nuclear weapons first because there would be no first use allowed. And lastly, we need to retire the weapons that are most vulnerable to being used first or being used under pressure of a false alarm. And that is our land-based ballistic missiles- our ICBMs. These weapons are not needed for deterrence. We don't need them in particular because we have our nuclear weapons based as well on submarines at sea and on bombers that can be sent aloft. And so not only are the ICBMs redundant, but they're tremendously dangerous because the Russians know exactly where they are. They're on high alert and they are the weapons that the president would be under tremendous pressure to use in an alert situation, out of fear that if a nuclear attack lands, then those weapons would be destroyed.

So there's pressure to "use them or lose them" before an attack arrives. And that's where you get the danger of responding to a nuclear attack that turns out to be false and starting nuclear war by mistake. This is a particularly important issue too because the air force is in the process of a \$260 billion program to rebuild the ICBMs. And now is the time to cancel this program before it

becomes too big to fail. So me personally, this is the highest priority thing. And for Ploughshares, this is the highest priority target we're going after. is canceling the new ICBM program because now's the time to do it. If we don't do it now, we'll be stuck with these weapons for the next 50 years. And they play a significant role in the risk of blundering into nuclear war by mistake.

Lastly, I want to talk about some of the lessons that we learned in the Obama administration, right? President Obama came in so many years ago with great hopes of eliminating nuclear weapons and reducing nuclear threats. He got some of those things done, but not near all of them in part because when he came in, the interested public felt that he had this, right. He had it covered. And so they could go off and worry about other things. And that was a problem because there wasn't enough public support in Congress or in the general public to give President Obama the political capital he needed to get these things done. And when he came into office, he realized just how hard it is to take on the nuclear bureaucracy. So we need to not make that mistake again. I mean, look, we've done the most important thing.

Job one, elect a president that cares about these issues. Okay, done. We got that, but we have to engage- the public needs to engage- with that president to make sure they deliver on the things they need to do. And here I wanted to agree with Jackie, that what we need is a multi-issue campaign that brings nuclear policy together with other issues because you know, gone are the days we're going to have a single-issue campaign on nuclear weapons. It's just not going to happen. But the way I look at it is that the Biden-Harris administration is coming in with clear priorities: fix the economy, fix COVID-19, take on climate change, address racial injustice. All of those things are tremendously important. They're going to take a boatload of money. At the same time, we can't just print all that money because the Republicans are now, my prediction, are going to rediscover the problems with deficit spending, which they forgot about for the last four years.

So we won't be able to just rank up the debt as we have. We'll have to cut programs to pay for new programs. Well, from my perspective, where we have money to save is in the nuclear program. The Trump administration was, is planning to spend upwards of \$2 trillion to rebuild the arsenal over the next 30 years. We can save a lot of money from that- in particular with the \$260

billion for the new ICBM. So I want to take that \$260 billion for the new ICBM and give it to rebuilding the economy, give it to addressing COVID, to addressing racial injustice and climate. So I want to build a coalition, a campaign with other communities that need federal funds because we've got in the nuclear space federal funds to give away. And I think that could be a very powerful movement. In fact, next week, Ploughshares Fund is sponsoring an event on Wednesday.

One of our panels will have members from those different communities to talk about all the needs in those communities that would be much better use of that money than spending it on nuclear weapons that would make us less safe. So let me end it there, but with an appeal that just because we've elected a President Biden that cares about nuclear policy issues, people cannot walk away from this issue. We need to stay engaged. We need to support the president to get these things done. President Biden, that incoming president Biden. And the way to do that is a multi-issue campaign that ties nuclear policy together with other prominent issues. And Charlie, I will end it there.

CHARLES MOXLEY:

Thank you, Tom. This is very encouraging. But it's also putting a lot of work on our plate. Laurie told us the many things we can do. Jackie told us the many things we can do and now Tom, you've done it again. We're now turning to Audrey Kitagawa and then Fr. Christiansen. Audrey will talk about faith groups and communities working together. She will also talk about the role of feminism in terms of hopefully achieving improvement in how international security affairs go and ethical or moral issues.

Father Christiansen will then talk with us about what the Catholic Church has done and what the Vatican has done in terms of several work products that have been helpful. And then we will hear about some cooperation between Georgetown, Notre Dame, and Catholic Universities that I think is a model that hopefully we're going to be able to develop going forward. I'm delighted, by the way, to see that Dean Feerick is still with us from Fordham, so maybe you will be able to address whether Fordham might join that effort. And then I think we'll have time for discussion, which we said we're going to do, and go back and give everybody a chance

to comment on the various comments others have made. Audrey, please take it away.

AUDREY KITAGAWA:

Thank you, Charles, and good afternoon, everyone. I want to thank the many co-sponsors and organizers for this day of programming. It is a privilege to be on this panel. My special thanks to my dear friend, Jonathan Granoff, for the special invitation to be here today. This panel is examining the approaches for advancing the rule of law and morality regarding nuclear weapons. We will discuss specific actions which have been undertaken by communities of faith on the nuclear weapons issue. Over 84% of the world's population are adherents of some faith tradition. This represents a tremendous resource. Leading guiding institutions, including the United Nations, have increasingly come to understand the importance of engaging with faith communities to advocate for, as well as implement, important local and global programs and initiatives.

Significantly, communities of faith provide the voice of inspiration that finds its origins in our sacred texts and traditions. Faith communities have also been instrumental in providing the voice of advocacy. They provide humanitarian outreach and services to communities in need. I begin by mentioning the work within the interfaith communities, with which I personally have been involved. The Parliament of the World's Religions which started the global interfaith movement with its inaugural convening in Chicago in 1893, has embraced the nuclear weapons issue and addressed it at each of its international convenings. Jonathan Granoff, who is the special ambassador of the Parliament on the nuclear issue, has been instrumental in putting this issue front and center at all of its international convenings from Cape Town, South Africa in 1988, and thereafter.

In 2018, the Parliament issued a passionate call for the abolition of nuclear weapons. Since that time, the Parliament has deepened its cooperative engagement by partnering with other faith-based organizations to create a joint statement called the Hiroshima-Nagasaki Accord. The Accord was co-created with United Religions Initiative, the Charter for Compassion, and Religions for Peace. The Accord has nine action items for faith

communities as well as people everywhere to implement. They are:

- If you are **young**, demand urgent governmental action before these weapons can rob you and your children of a future.
- If you are a **diplomat**, keep pounding away on the fulfillment of legal commitments already contained in treaties in force that call for the reduction and elimination of the threat posed by these weapons.
- If you are a **religious leader**, pray, preach, prophecy to stop the nuclear end of the world. And if you're not informed about the nuclear issue become educated, subscribe to a nuclear newsletter and wake up.
- If you are a **politician**, join parliamentarians and leaders worldwide who are working to stop the modernization and expansion of the capacity of nuclear weapons in quality and quantity, and advance policies and legislation that reduces the threat of the use of weapons, stop their spread, and lead to their elimination.
- If you are a **citizen**, join a nuclear weapons abolition group. March in the streets, write letters, pray fervently, and demand that institutions stop investing in the nuclear weapon industry.
- If you are a **scientist**, don't be used by politicians who champion nuclear stockpiles. Find solidarity in your ranks and reach across national boundaries to scientists in other countries.
- If you are an **environmentalist**, recognize that nuclear weapons are the immediate and ultimate climate change for all time.
- If you are a **nation armed with nuclear weapons**, join with other nuclear nations to establish a joint enterprise committed to working for the elimination of nuclear weapons.

In commemoration of the 75th anniversary of the bombings of Hiroshima and Nagasaki, a video was also jointly created to make the moral case for the abolition of nuclear weapons. Links to the video and the Accord have been provided to the conference organizers. This modeling of cooperative

engagement between communities of faith, and faith-based organizations to support the abolition of nuclear weapons should be generously replicated.

United Religions Initiative, which is comprised of more than eight-hundred cooperation circles around the world, has a very well-developed cooperation circle created just to advocate for a nuclear weapons free world, called “Voices For a World Free of Nuclear Weapons.”

Fifty-three diverse faith communities committed to a nuclear weapons free world presented a joint statement at the Third Session of the Preparatory Committee for the 2020 Review Conference of the parties to the Treaty on the Non-Proliferation of Nuclear Weapons (TPNW). These powerful advocacy tools continue to be developed to address the abolition of nuclear weapons.

The Public Statement gave four areas that communities of faith urged actions to be taken by the States. It set forth, “Nuclear weapons profoundly violate all values and commitments. We can never accept a conception of security that privileges the concerns of any state or nation over the good of the human and planetary whole. The horrific destructiveness of nuclear weapons makes their abolition the only path to authentic human security. In July of last year, in an important step toward a world free of nuclear weapons, the TPNW was adopted by 122 governments. We strongly urge all states that have not done so to sign and ratify it.”

As people of faith, this group urged the United Nations General Assembly to do four things:

1. Address the issue of disarmament not only as integral to the security agenda seen from military and political perspectives, but also as a moral and ethical imperative;
2. Support proposals for substantive discussions in multi-lateral forums on a legally binding instrument to prohibit L.A.W.S.;
3. Heed the voices of the words, *hibakusha* (all the victims of nuclear weapons) and recommit to the unequivocal undertaking to achieve and maintain a world without nuclear weapons;
4. Recognize that the fundamental justification for the TPNW is the prevention of the catastrophic humanitarian consequences of any use of such weapons and that its early entry into force is absolutely necessary.

Father Drew Christiansen, one of the panelists that we have this afternoon, said it clearly, "We should cease to imagine nuclear weapons as tools for us to manage, but rather as a curse we must banish."

Beatrice Fihn, Executive Director of the International Campaign to Abolish Nuclear Weapons, and recipient of the 2017 Nobel Peace Prize said, "Humans harnessed the power of science to build these weapons; we have harnessed the power of faith to stop them."

Communities of faith that implement activism, advocacy and the voice of inspiration, help us to to deepen our faith and have greater hope that we can create a better future. Influential religious leaders also play constructive roles. Pope Francis, who leads over 1.2 billion Catholics, said In his speech in Hiroshima, ". . . the world has grown content with a false sense of security sustained by a mentality of fear and mistrust, one that ends up poisoning relationships between peoples and obstructing any form of dialogue. Peace and international stability are incompatible with attempts to build upon the fear of mutual destruction or the threat of total annihilation."

At the 75th anniversary of the bombing of Hiroshima, Pope Francis said, "It has never been clearer that, for peace to flourish, all people need to lay down the weapons of war, and especially the most powerful and destructive of weapons: nuclear arms that can cripple and destroy whole cities, whole countries . . . The use of atomic energy for purposes of war is immoral, just as the possessing of nuclear weapons is immoral and is to be condemned."

His Holiness the Dalai Lama, who is a Nobel Peace Laureate, and an advocate for nonviolence said, "We human beings have created many of the problems in today's world . . . As long as we have strong negative emotions and we view our fellow beings in terms of 'us' and 'them', there will be a tendency to try to destroy them. We must recognize the oneness of humanity, and understand that we will not achieve peace merely through prayer; we need to take action."

In his sermon, *Loving Your Enemies*, Martin Luther King said, "It is an eternal reminder to a generation depending on nuclear atomic energy, a generation depending on physical violence, that love is the only creative, redemptive transforming, power in the

universe.” King wanted all people, all nations to come together to work out their differences through what he called “a great fellowship of love.”

I extend my appreciation to all of these inspiring leaders, whether religious or not, who articulate what it is to be authentically human and find that moral ground within ourselves, which gives rise to all of our religions, and yet, is transcendent of all religions. The life given by the Divine Creator of all there is, is sacred.

CHARLES MOXLEY:

Thank you so much, Audrey. This is so inspirational. I mean, it’s hard to talk of it as an action item, although it is, but it transcends action to call upon us to change ourselves and achieve a greater potential of our human nature. So, the action list expands. Father Christiansen, Drew, would you talk us through the great work you’ve been doing, and Simona, would you put up Father Christiansen’s PowerPoint so we can all see it?

DREW CHRISTIANSEN:

Thank you, Charles. I want to thank you and Jonathan Granoff and Edward Lenci for inviting me to be with you today. And I want to thank Audrey for reading my work so attentively. In talking about the church, I don’t want to talk exclusively about the Catholic Church because many of these activities have been undertaken ecumenically and inter-religiously. We’ve learned from other denominational practices, as I’ll point out, and we carry out a lot of this work inter-religiously as well. So what I hope is that I’ll exhibit various dimensions in which the Catholic Church has been involved, and in which any religious organizations can be involved. There’s one distinct dimension for the Catholic Church, that’s diplomatic; but by and large other religious organizations are involved in civil society and in the UN structure in very deep ways that they weren’t 25 years ago. And so they’ve been involved in this whole discussion, too.

So they are also part of the diplomatic world in a broader sense. The first dimension I want to talk about is that of pastoral care. In pastoring, the first mode we think of reaching the faithful is preaching. The late Andrew Greeley, the sociologist and priest, used to say the Sunday commonly was the place where most

Catholics learned about the church. Well, I'm afraid that on war and peace, they may learn too little, or what they would learn may be wrong.

The church has changed its position. The position has evolved not only as events have changed, and the climate of public opinion has changed, but also as moral insight has changed. So first, we accepted nuclear weapons as part of a necessary evil world.

And then, in 1982, Pope John Paul II and the U.S. Bishops in 1983 said, "No, we can only accept nuclear deterrence under strict conditions." And as those conditions were no longer met, the Holy See began to say, "No, abolition has to be the end of policy." And then finally, under Pope Francis, the church has signed on to abolition under the Treaty to Prohibit Nuclear Weapons, and in his own teaching, he has condemned the possession, the use, and the threat to use nuclear weapons, thereby condemning nuclear deterrence as well.

And so, to preach on this issue, clergy must understand that there's been an evolution of the teaching, and that whole teaching must be taught, and the teaching must be made "church wide and parish deep." Preaching, I think, has a special opportunity in the upcoming religious seasons of Advent and the weeks leading up to Advent, where there's a lot of contemplation of the end of time. Nuclear weapons are often looked at from the point of view of the apocalypse, but also in Advent, we're looking at the advent of the Kingdom of God, where peace flourishes in a new way, and so the liturgical dynamics set this opportunity to bring up these issues in a special way.

Also, there's a teaching function with relation to the sacraments, particularly in preparation for entrances of the church, either through baptism, on the part of adults who are non-Christian or through confirmation, if they come from other Christian denominations; and there's a long process called the Rite Of Christian Initiation of Adults, where new Catholics can and ought to learn about this teaching.

The RCIA is part of making the teaching on elimination of nuclear weapons "church wide and parish deep." There's also a question of adult education, and this is the area where I think, it's most possible to do education. The clergy sometimes are afraid of talking about difficult issues like nuclear war because they're not prepared, but also because it may divide the congregation. And it's

easy, I think, to handle all the adult education with the help of competent lay people, who are competent, not only on the topic, but in the ability to lead a serious discussion. And many polls that we've taken have indicated again and again, that people believe that congregations are the place where they want to talk about moral issues and expect to talk about them. And so all an anxious clergy person has to do is to host an event and let the lay leadership take it over.

I think there's another dimension to this, which is that these meetings can gather as "communities of moral discourse," as Jim Gustafson, the Protestant theologian, calls them, where you simply are talking about issues of public or even global ethics. In modern Catholic Social Teaching, however, they also function as communities of discernment. People come together to look at the current situation of the world, and see what God is expecting them to do, and take decisions together about that. And that decision making about collective action should be part of what goes on in adult education.

And finally, there is pastoral care in the more specific sense. Ordinarily, we think of that in confession, in confessing sins, sins of participation and evil even, but pastoral care takes place in an even richer way in a spiritual direction. The image I have here is of our Jesuit patron and founder, St. Ignatius Loyola, with his finger over his mouth, indicating, "Shh," silence, listen to your heart. This is an unusual image of him as a spiritual director and the founder of the modern tradition of spiritual direction, indicating that what we ought to be doing, is helping people through their own discernment. Everyone is called to discern what to do with respect to the elimination of nuclear weapons, and the duty of the clergy is to help people through that moral discernment. And that's pastoral accompaniment. Pope Francis has written glowingly about that kind of process. And I think we ought to adapt it.

Higher education and public education more broadly is the domain in which I work principally. You see here three of my colleagues with whom I work for actually. The man with his back to you, is Cardinal-elect Silvano Tomasi, and he's been, really, the leader within the church with Pope Francis on this issue. In front of him, is Maryann Cusimano Love, from Catholic University of America, and Gerry Powers, from Notre Dame, and Alessio Pecorario from the Vatican curia. The photo is from our January

conference here at Georgetown, *The Pope And The Bomb*. Together, we work in a group called the Initiative for Reengaging the Catholic Community on Nuclear Disarmament. We do a variety of things. One of the things that we're aiming at doing is educating the next generation of nuclear arms negotiators and nuclear abolition advocates. We've had a succession of summer institutes to that end.

This year we postponed it due to Covid, and now, we'll have a mini course January 11th to January 14th online. And we're hoping that we'll get students from Catholic universities worldwide and from other, especially religiously affiliated colleges and universities as well. We provide internships and they're broad. One of my own students here at Georgetown was a member of the Vatican delegation to the negotiation of *The Treaty on the Prohibition of Nuclear Weapons*. And I like to say, it was the first time that we had a Jew as a part of the Vatican delegation. He really acquitted himself well there, and he's still part of our work.

There were international exchanges back in the summer on the anniversaries of the atomic bombings of Hiroshima and Nagasaki. And then again, in early October, we did a series of conversations with the Archbishop of Nagasaki, who himself had been an infant in womb at the time of the bombing. And we involved students from Japan and Korea, from the U.S., and elsewhere, in conversations with him and with one another on these issues. And the students are now continuing those kind of exercises- they just said one last night.

In addition, we run conferences. And in January, here at Georgetown, in that conference on the Pope and the Bomb, we had presenters from a book that I'm editing on pastoral and moral guidance for people in the nuclear field and clergy and pastoral workers who need to advise and accompany them in dealing with the issues that they face.

Now that the Pope has condemned nuclear weapons and deterrence, some people may really face hard issues. And the idea of this forthcoming book will be to help guide them. And that conference was a foretaste of that work. So that's some of the work of teaching and scholarship we do.

Finally, the Holy See has a unique position as being a member of many treaties and an observer member of the UN. It chooses to be an observer. Although, in the negotiations on the treaty to

prohibit, it was elected by the other members to be a voting member of that group as well. But the Holy See is the oldest diplomatic entity in the world, and so, it continues to exercise a diplomatic function on issues of disarmament. The Holy See, if you will, is the public face of the Catholic Church in the international community.

Vatican diplomacy relates Catholic Social Teaching to the wider world and especially to the state system. Under the title of the Holy See, it's a permanent observer at the UN, in New York and the UN agencies in Geneva. And it's a state party to a number of treaties, including the Nonproliferation Treaty, the Treaty to Prohibit Nuclear Weapons, and is a member state of the International Atomic Energy Agency. It's been involved in a number of activities in this area in recent years. Its work in nuclear weapons is part of a continuing program, a promotion of humanitarian considerations in the issues of limitation of weapons, which included work on landmines and the arms trade.

It's been a participant in the Humanitarian Consequences Movement, a series of meetings promoted by civil society and the non-nuclear weapons states, beginning in 2013, that laid out contemporary knowledge about the consequences of nuclear weapons for humanity and for the planet. It also reviewed the lack of resources and for recovery of the planet and recovery of civilization, if there were ever a nuclear war. The movement increased the weight of the knowledge of the destructive potential of nuclear weapons, and, therefore, the need to abolish nuclear weapons. Pope Francis, as I said, has condemned the possession, the use, the threat to use of nuclear weapons, and therefore deterrence and most notably, in Nagasaki and Hiroshima, but even the year before, in a conference at the Vatican. And the book you saw before, *A World Free from Nuclear Weapons*, that we've published from Georgetown, presents the talks given there, including talks by a number of noble laureates and diplomats who were involved in the creation of the treaty.

Among the more recent pronouncements of the Holy See in recent weeks has been one by Archbishop Gallagher; he's the Vatican foreign minister. At his presentation to the General Assembly on The International Day For Elimination of Nuclear Weapons, he, among other things, said states have no legacy rights to nuclear weapons. That is a formula for saying the nuclear

weapon states should not treat the NPT as a treaty that guarantees them possession of nuclear rights. Henry Kissinger, when he came to join George Schultz's effort on abolition, argued that the time had come when the US could no longer think of itself as being able to have nuclear weapons when no one else could have them because the world was too threatened by the multiple states that had weapons and the instability of the current multi-polar situation. And so, he of all people, ultra-realist, along with George Schultz, Sam Nun, and Bill Perry, calls now for nuclear abolition.

And then, most recently, just within the last couple of weeks, Archbishop Caccia, the Vatican ambassador at the UN, at the first committee—the first committee is the one that considers issues in nuclear disarmament and international security—delivered a statement on general issues that need to be looked at, but he put a special emphasis on the need to implement the sixth article of the NPT: the pursuit of general and complete disarmament, that is disarmament on nuclear weapons in conjunction with conventional disarmament.

Charles Moxley earlier said there's an irony in that what was once something that the US wanted, conventional disarmament, is now something Russia would want because of the disparity in conventional forces. The Holy See is now arguing that really, this is the time to pursue both sides together, so that we can have a stable movement downward towards a non-nuclear peace. And finally, this document that you see on the slide, is the document of ratification of the treaty to prevent nuclear weapons, signed by Pope Francis on the 26th of September in 2017. The next two slides provide resources, and since these presentations will be available online, you can go there and look for these. These are two pages of resources here. And I hope you'll be able to take advantage of them. Thank you all for listening.

CHARLES MOXLEY:

Thank you, Father Drew. It's extraordinary the range of actions that are taking place now. There's a lot to build on here. I think one area we talked about in our prep, that we didn't get to, is Jackie was going to tell us about a huge movement of parliamentarians that we really should talk about. And then I think we should have a general discussion within the panel of reactions to one another's comments.

JACQUELINE CABASSO:

First of all, I wanted to reinforce Tom's note that we really need to push hard on the new Biden administration. I will note that Obama's Nuclear Posture Review did not accept the sole use doctrine, so we really have to do that. One mechanism is through mayors. Mayors Of Peace was established in 1982 during the UN Second Special Session on Disarmament by the mayors of Hiroshima and Nagasaki to promote the total elimination of nuclear weapons. With active support from civil society, as of November 1, membership has grown to nearly 8,000 cities in 165 countries with 218 U.S. members. Mayors for Peace seeks to achieve two key objectives: realization of a world without nuclear weapons and realization of safe and resilient cities, which taken together will lead to lasting world peace.

Here again, it is a multi-issue approach. Mayors for Peace has ECOSOC status and works closely with the UN Office of Disarmament Affairs. In the United States, Mayors for Peace works closely with the U.S. Conference of Mayors, the official nonpartisan association of more than 1400 cities with populations over 30,000. The U.S. Conference of Mayors has adopted Mayors for Peace resolutions for 16 consecutive years. In 2019 they called on all presidential candidates to make known their positions on nuclear weapons and to pledge U.S. global leadership in preventing nuclear war, returning to diplomacy and negotiating the elimination of nuclear weapons.

This year, the U.S. Conference of Mayors adopted a resolution calling for human centered security in a time of global pandemic, demonstrating that local elected officials in the world's leading nuclear-armed state understand the inter-connected prerogatives for human security. The new resolution calls on the President and Congress to support the UN secretary General's call for an immediate global cease fire and international cooperation to address the COVID-19 pandemic; to reconceptualize security in human-centered terms by redirecting funds currently allocated to nuclear weapons and unwarranted military spending to support safe and resilient cities and meet human needs; and to lead global efforts to prevent nuclear war and actively pursue a verifiable agreement among nuclear arm states to eliminate their nuclear arsenals.

This last clause is a restatement of the U.S. Conference of Mayors' previous commitment to the Back From the Brink Campaign, which I want to bring to folks' attention as a way of putting pressure on the new Biden administration. The Back From the Brink campaign calls on the U.S. to renounce the option of using nuclear weapons first, end the sole unchecked authority of any U.S. president to launch a nuclear attack, take U.S. nuclear weapons off hair-trigger alert, cancel the plan to replace the entire U.S. nuclear arsenal with enhanced weapons, and pursue a verifiable agreement among nuclear-armed states to eliminate their nuclear arsenals. This agenda has been endorsed by 352 organizations and 47 municipalities, including Washington DC, Baltimore, Salt Lake City, Honolulu, and Los Angeles, as well as the State legislatures of California, Maine, New Jersey, and Oregon. This is a live and active campaign now, that Mayors for Peace is part of in the United States.

CHARLES MOXLEY:

Okay, terrific. Before we go back to the panel, when I mentioned parliamentarians, that was referring to a program that GSI—Global Security Institute—has worked on. And I think Jonathan's going to tell us briefly about that.

JONATHAN GRANOFF:

Right, well, the Parliamentarians for Nuclear Non-Proliferation and Disarmament is in over 80 countries. There are over 800 parliamentarians in it from multiple parties. Jeremy Corbin was a co-president; Ed Markey is a co-president. Foreign leaders would include Helen Clark, the former Prime Minister of New Zealand. Laura Chinchilla was the president of Costa Rica. So it's very high level, and it's really put together by an amazing energetic visionary, Alyn Ware, and its goal is to educate massive numbers of parliamentarians on the imperative and value of nonproliferation and nuclear disarmament and to share policies and proposals that they can take and do within their parliaments.

And I commend, their website is pnnd.org, Parliamentarians for Nuclear Nonproliferation and Disarmament. It has not reached anywhere close to its potential for simple lack of funding and organizational support, but it has tremendous potential to bring together the movements dealing with climate, human rights, and disarmament because we discovered that the same

parliamentarians who care about nuclear weapons are exactly the same parliamentarians who are on the front lines on climate change. So this is a robust organization with even greater potential.

CHARLES MOXLEY:

Thank you, Jonathan. Let me ask Tom Collina. Tom, there's been a question raised in connection with your comments about things that the Biden administration is likely to do, and might be persuaded to do, with respect to the scope of the expenditures and so forth. To what extent can the administration just say, "I'm not going to spend them."?

TOM COLLINA:

Well, one of the first things that an incoming Biden administration will have to do is take the draft budget for the next fiscal year from the outgoing Trump administration, mark it up, because there won't be time to do a top to bottom new budget, and send it to Congress as the Biden administration's first proposed budget to Congress. In that budget, for example, the Biden administration could zero out funding for the new land-based ballistic missile, the new ICBM: just zero it out.

So the new administration will have a tremendous amount of latitude. Now, of course, Congress can try to put that money back in, but then you'll have, presumably, a split between house and Senate and then the white house will get to decide, so I like those odds. But, yeah, a new administration will have a lot of influence over its own budget to begin with. And then because of the power of the veto, can have a lot of influence with how the congressional budget process goes, but it all starts with the budget submission that the new administration will put together in the spring.

CHARLES MOXLEY:

You seem somewhat optimistic on the reining in the expenditures, but there's so much money going to such a diffuse group of companies and efforts. How feasible is it that we're really going to rein that in, materially?

TOM COLLINA:

Look, I'm hopeful, but I'm not confident. I completely agree that we are up against it with the hundreds of billions of dollars that are going to defense contractors and the influence that that buys you in Congress and other places. So, we are outgunned on many levels. What gives me hope, is that again, the new administration is coming in with so many needs on the budget front, so many higher priority needs to fill than new nuclear weapons. And that, if they are reasonable folk, which I think they are, and they're looking for places to save money, then the defense budget, and within that, the nuclear weapons budget, is just an obvious, reasonable place to go.

CHARLES MOXLEY:

Let me ask an action-oriented question. As I said, we've had hundreds of people here today., We now have 105 people still with us, and let me remind everybody, that we're going to have a virtual reception after this panel and some concluding comments. So, we do hope people will stick around, for that. But, where's our action item? For instance, I'll ask John Burroughs, I don't see you right now, and I'll ask Ariana, Jonathan Granoff, and Ed Lenci. What can people do? The people who are on this program, the 105 who are here now, who can they reach out to, to find out how they can be part of the effort? We've defined action items, but now we have to operationalize it. So, who's going to coordinate this? What organization or person can be that resource? This was not a scripted question, but as this discussion has been so hopeful, it cries out for some coalition of people who can coordinate the interest that this program has obviously discovered.

JOHN BURROUGHS:

Charlie, this is John Burroughs. I'm going to take that as a question that I must answer. And certainly, if you're interested in working as a lawyer or in legal related advocacy, get in touch with Lawyers Committee on Nuclear Policy, contact@lcnp.org. But I don't think we can volunteer to be a center for activism in general.

CHARLES MOXLEY:

Jonathan?

JONATHAN GRANOFF:

Well, if you're a lawyer, join the international law section of the ABA, one of the sponsoring organizations, and join the task force on nuclear nonproliferation, which I chair. And there's a committee on national security, where I'm a senior advisor and these committees, we already have two existing American bar Association resolutions that are relevant. One is, for ratification of the Test Ban Treaty. And the other is, for the fulfillment of the promises in the Nuclear Nonproliferation Treaty. So there's ample room to push the American bar Association, formally, to lobby resolutions which took years of hard work to obtain. And that is a strong, powerful, very effective lobbying arm that has the potential to actually make a bipartisan difference because the ABA proper has over 400,000 lawyers. And the only thing that's lacking is a little energy to put it together. The other thing I would suggest is that it would be extremely valuable if an organization in Washington gathered together a group of thought leaders in the different movements to meet together on a regular basis through Zoom to develop greater coherence in strategies. First beginning with the arms control disarmament community, but then having as part of its agenda, how to build bridges with the natural allies that we have in the human rights and climate movements. And I end by saying our adversaries have created unnatural alliances. If you're against abortion, statistically in the United States, you're likely to be for more prisons, you're likely to support space weaponization and more nuclear weapons. There's no logical relationship. This is an artificial alliance that's been created, but we have natural alliances of interest and sensibility, but we haven't developed a narrative or a set of principles that would allow us to coordinate our efforts.

Thus far, the climate movement, the environmental movement, the human rights movement, the disarmament movement have been siloed in their funding and in their metrics of success. I think that it's time that we brought these movements together. We need some organization to convene thought leaders to come up with a strategy. And it should also include, because these issues are global in nature, a global dimension, not just the Washington beltway mentality, but these issues are global especially for people who address the climate. They care about the global perspective, and we have to bring together those of us who

work in the UN environment with those who work on the Hill. I believe the framework of Human Security is viable.

CHARLES MOXLEY:

That is terrific. Jackie, what about the Western State's Legal Foundation? Do you all need people to reach out to you? I mean, I know your organization does a lot of work across different areas. So, is there an opportunity there?

JACQUELINE CABASSO:

I would be happy to hear from anybody who is interested in following up on anything I said. I wanted to respond to Jonathan and say we must be very careful. There are a lot of formations out there now, a lot that are not necessarily in touch with each other, some of which have very similar agendas, some of which do not. A little red flag goes up for me when people say a DC group should be doing the convening because there are a number of coalitions that are national and around the country that are dealing with racial justice, economic justice, environmental justice and so on. It needs to be done thoughtfully. Another approach is to try to get people's interest and feed them into existing organizations and formations; to try to strengthen existing organizations.

There's one coalition on nuclear disarmament advocacy that comes to my mind, which was formed for the Hiroshima and Nagasaki 75th anniversary, called "Still Here." It brought together an unusually broad spectrum of nuclear arms control and disarmament groups - and a little bit broader than that. There is now a list-serve, and the group is going to start meeting regularly to see how we can take the cooperation and collaboration that went into the 75th anniversary effort and move it forward. Some of the legal folks might want to plug into that.

CHARLES MOXLEY:

That sounds interesting. Let me ask Ed Lenci. Ed, Jonathan talked about opportunities within the ABA to get involved. My question is whether the International Section of the State Bar, of which you're the chair elect. Do you think there's an appetite there to take action, if there are members of the State Bar who might want to act through the State Bar?

EDWARD LENCI:

I would have to ask the executive committee if there is an interest in it. I am not trying to discourage it by saying that I'm just saying that I don't want to run off at the mouth and be seen as taking a position I wasn't authorized to take. I would encourage attorneys with an interest in this area to join the New York state bar association international section, and if you really have an interest in pursuing this area, propose a committee because we have committees on a host of subjects. If we form a committee and members get active, who knows where it could go.

CHARLES MOXLEY:

I have to second Ed's comment. I've been very active in the State Bar for years. My day job is as an arbitrator and a mediator, and I'm a former chair of the Dispute Resolution Section of the State Bar, which is a big section, similar in size, I think, to the International Section, and there the basic rule is, if you want to see something happen, the best way to make that happen is to just do it; try to find a few people, and now you're a committee within the section. So, my experience is that the roadway is open for people who want to get involved.

I know many of the speakers throughout the day here, and we've all been active in this field for years. Father Christiansen, one question I have for you is this: the Catholic Church is huge: we heard one billion or more members. We also heard about the Catholic Peacebuilding Network—a cooperative arrangement, as I understand it, among Notre Dame, Catholic University, and Georgetown. Is that something replicable? Maybe we'll put Dean Feerick on the spot and see if there's a potential here for maybe Fordham getting involved at the university level or the law school level.

DREW CHRISTIANSEN:

It's also expandable as our group would be happy to have other Catholic colleges. The Boston colleges were once involved and they're kind of involved in an ad hoc basis. Then we had Loyola along with Northwestern when we did the conversations with Archbishop Takami a couple weeks ago. So I'd say, yeah, it is replicable and expandable. The other thing I'd add is that in a lot of

the teaching documents from the Senate, from Pope Francis, they talk about the parish being a place that is a community of communities and of movements. So that says it doesn't have to be a formal parish work but the parish can be a place where there can be a group of moral conversation that will eventually become a group of moral discernment together and social action.

It's possible to put your own group together in a parish context or to become part of a wing of Pax Christi perhaps, one of the other Catholic agencies to deal with these issues. So as with the bar, I think people, especially professional people and educators ought to be in a position to self-organize, to start, and to promote this. The Pope will continue to speak on this. I imagine before Christmas we will hear from him again on this issue. I think that should be an incentive for folks to take this issue up and decide what they can do from where they stand, and I think that goes for people in politics and diplomacy and in the military as well.

CHARLES MOXLEY:

I think that's certainly right, that the initiative is there. We just have to get people focused on the issue. I think for this panel, Audrey, you get the last word and then I'll invite Dean Feerick, if you'd like to make some final comments. Then I think Jonathan, John, and I would like to just say a couple of very brief final comments sort of reflecting on the day, and we'll go into our cocktail party, our virtual cocktail party, which is often very interesting. Audrey.

AUDREY KITAGAWA:

Thank you so much again, Charles. The foundation of human rights comes from an inner knowing that we are inherently spiritual beings with spiritual purposes, and the laws that we create are a manifestation of that inner knowing, an externalized attempt of written codification, of what we inherently know of ourselves as spiritual beings with spiritual purposes.

Article 1 of the UDHR recognizes that all human beings are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

But where does conscience come from? I suggest that conscience arises from consciousness itself, which is the quality or state of being which is aware, aware of what is taking place within

oneself, and all around us. It is therefore, simultaneously individual and universal in nature.

That state of being which is aware instantly tells us if our actions, whether through thought, speech or conduct, creates a violation of ourselves or another; a violation that ultimately leads to our degradation and the degradation of the other. Though we can try to rationalize our actions, the conscience is the repository of truth which knows that no amount of rationalization can soothe the disquietude that sits within our hearts until that violation is cleared through a coherent alignment of the inner knowing with the outer conduct.

The ethical dimension of human rights law is a further externalized articulation of a moral code that is often manifested in our cultural traditions, or areas of human behavior that we ascertain to be acceptable, or unacceptable, good or bad, right or wrong in accordance with our societal norms and values.

It also speaks to our values as building blocks of our ethical and moral principles. The fundamental values of freedom, equality, solidarity, tolerance, respect for nature and shared responsibility were set forth at the Millennium Summit of the General Assembly in 2000 as essential to international relations in the 21st Century.

The essence of the spiritual and ethical dimensions of human rights law is ultimately based on an altruism that is unselfish and has regard for the welfare of others. All the great spiritual teachers and ethicists from the beginning of the recorded human existence share that the highest potential of the fully developed human being is one who has the heart of compassion, love, and caring for one other that not only makes human existence itself possible, but also makes it worthwhile.

To develop into a mature human being then, means that the elevated person will not only embrace the rights of others, but will see it as indistinct from his own rights because that sense of separation that creates a duality of you and me has moved to that transcendent state where we are all One in the family of man, and with all of life itself.

As the great humanitarian and Nobel recipient, Albert Schweitzer said, "Until mankind can extend the circle of his compassion to include all living things, he will never himself, know peace."

CHARLES MOXLEY:

Thank you, Audrey. That is a lot to meditate on, and I think we're all going to play the link to this program more than once and watch it. Before I ask Dean Feerick for any closing comments, I'm going to ask Laurie, as you listen to all this, if you've had any thoughts of further litigation, and equally importantly, are you a contact for anybody who wants to get involved in litigation in this realm?

LAURIE ASHTON:

Yes, I am a contact for folks who want to be involved in litigation. One thought did occur to me while I was listening to Tom Collina and his optimism with the Biden administration. I want to share that optimism with a quote of Barack Obama's when he was quoting Roosevelt; I believe it was with regard to weapons related issues. It goes something like this: I agree with you, I want to do it, now make me do it. Litigation can fill the role of leaning on leaders that agree with us but need more reasons to get it done because of how strong the lobbyists, the defense contractors, the military complex is in general. That's where I see litigation and you guys know where to find me.

CHARLES MOXLEY:

Thank you, Laurie. Dean Feerick.

JOHN FEERICK:

Well, I've made three pages of notes listening to conversations, and I'm just overwhelmed and inspired by each of you in terms of the example you have given in your own lives and your focus on this particular subject, which has not really been part of my background. I lead a center at Fordham law school called Center for Social Justice, and we are very heavily involved in immigration issues, and we played a very significant role in Dilley Texas in terms of the political asylum issues. The Jesuit refugee service gave us their national award for work that the center is doing. So those are sort of the areas of my own involvement, but I made notes to have communications with different individuals at Fordham, like Karen Greenberg of our National Security Center to talk to her about this issue. We have a wonderful human rights

program, headed up by Marty Flaherty, who is very, very well known in the field of human rights.

I'm going to encourage his center to focus on these issues. I do have a very close relationship with Father McShane who is the president of Fordham University. And I'm going to ask him the question of why we aren't involved as a university with Georgetown, Catholic University, Notre Dame and whoever else is involved. Father might say to me, John, this is not your background. I'll say, but I know people like Charlie Moxley, a Fordham College graduate, who can be very helpful. I promise you I'm going to do what I've just said because I didn't expect to end up with work tonight. I'm just going to get started on it tonight in terms of communications. That's the way I work. So you were all terrific and you educated me, you inspired me, and I'm going to act on that. Thank you.

CHARLES MOXLEY:

Thank you so much, Dean. Let's now just take just a few minutes for each of us, to say a few final words. Maybe John, Jonathan, and maybe Ed, if you would like to just give us some final reflections. I know we're standing between us and the cocktail party, but it has been a wonderful experience. Let's just each briefly reflect a little on what we came away with today, John.

JOHN BURROUGHS:

I'd like to say on behalf of Ariana Smith and myself that I hope the participants learned something today and were inspired today. I'll just repeat what I said a few moments ago, which is if you're interested in activism in relation to legal issues we've discussed today, please get in touch with us at contact@lcn.org.

CHARLES MOXLEY:

Thank you. Jonathan.

JONATHAN GRANOFF:

I was very struck by Governor Brown's emphasis on planetary realism. That since time in memorial, the wise have admonished us to see the reality of the human family as one as a precondition for becoming fully human. The very famous Sufi poet Sa'di said, "Oh

the human family is as one body; an injury to one part, a disease, causes a healing response from the whole. Oh you who don't feel the suffering of others, how can you call yourselves fully human?" This assertion of compassion and human unity- the wise have all been telling us and it is resonant with the universality of the golden rule. This moral imperative at this moment in our lives has become a practical necessity in order to address protecting the climate, addressing pandemic diseases, and the horrific threat of nuclear weapons hanging over our heads. This requires a global understanding, and that global understanding is a mere sentiment unless it has the traction of law.

I reach out to my colleagues in the bar and say it's our job to translate that human sentiment into practical reality. I recently engaged in a zoom dialogue with Jane Goodall, *Our Future Peace or Pieces*. And Jane's admonition, one of the great wise people of our time, is consistently that you have to go on the journey from the head to the heart, and then we said, but now we have to go the head, the heart, to the hand and that's what's before us. And that's what we've heard all day. There are tools in the law. We need to learn them well and use them well. I really thank Ed and Charlie and John and Carra and Simone for the hard work of bringing this together and making this wonderful day in which I didn't feel uncomfortable sitting for, I don't know, eight hours. God bless you. Thank you.

CHARLES MOXLEY:

Thank you, Jonathan. Ed, would you like to make any final concluding reflections?

EDWARD LENCI:

Yes. I just want to thank everyone involved in this: speakers and the folks who were in the audience, the virtual audience, and especially Carra and Simone for making this a great conference and one that I think will, as it's being recorded, serve as an educational tool that we can use at colleges and even high schools to basically spread the word about what we were talking about today.

CHARLES MOXLEY:

Okay. Thank you, Ed. I think the points that stand out most in my mind are twofold. Maybe threefold. One, it is gratifying, and it was evident back at the time of the ICJ case, that the U.S. acknowledged, and the other nuclear weapons states and states around the world have broadly recognized, that the law of armed conflict applies to nuclear weapons. I think a lot of us felt we had done a lot of what we were interested in doing with getting that realization over the years. Even after the ICJ decision, a lot of us wrote books and articles about the fact that this law applies and the U.S. agrees that it applies. But I no longer feel that that's adequate, because it was evident from today that, while it is important to have the articulation of what the rule is, the application of the rule matters.

This came from the Red Cross, Kathleen Lawand, thank you. The statements of the rules by the Red Cross and by the U.S. military and the manuals constitute essentially the same statements of the law. It's a good start that the rules are stated the same. The flaw is in the application and in the U.S. approach to the matter. It's for others to judge the matter, but my sense is that it legally required under the law, as formulated across the board in international law, including by the U.S. itself, that a state, in evaluating the lawfulness of a potential military strike, include a nuclear weapons strike, must consider *all* the potential effects of the strike. And when you consider them, you can't just ask, "can we hit the target?" You have to look at the whole range of effects, including radioactive fallout and potential electromagnetic pulses and nuclear winter effects, along with potential nuclear responses and escalation. And you have to do so using risk analysis, assessing and integrating into the analysis the foreseeable levels of likelihood of the various foreseeable potential effects. Once one goes through such an analysis, the conclusion seems compelling that essentially any use of nuclear weapons, certainly between major nuclear weapons states, will likely carry some risk of existential effects that cannot pass legal muster under this established body of law.

So, I think the first point is that we have to start refining the issues as to the application of this body of law. I thought that the point Scott Sagan made is so good: that we need to get the JAG people at the next one of these conferences, which hopefully we will do soon. We need to get a dialogue going.

The second point I wanted to make relates to some of the points Ambassador Ford made. I'm sure they were made in complete good faith and I'm sure he believes them. The sense is that the potential enemies are bad, and they're doing bad things, and so we just have to be ready to deal with them, and that they don't have civil society and we have civil society. What is missing there, in my view, is that the United States is, or has the potential to be, the world leader and it isn't right now. We can change things. We can take inspiration from Governor Brown and address these issues.

At this point, we're not even trying to change launch-on-warning. Maybe, as Tom Collina told us, there is a potential to drop our land-based ICBMs, which, as we've heard, are part of United States' triad of land, sea, and air nuclear forces, since that leg of the triad is so volatile. Once you get a report that there's an incoming attack, reports that have occurred often on a false alarm basis in the past, there is a huge pressure to use such vulnerable targets, to "use-'em" so as not to "lose-'em" before they are potentially destroyed in a matter of minutes.

Also, even the Obama nuclear posture review, which said abolition is our objective, had pushed that objective into the indefinite future. That delay seems inappropriate, as a matter of law, for reasons we've heard today because of NPT Article Six. That nuclear posture review also disturbingly suggested that abolition is going to mean that we're going to have all the nuclear power countries and near nuclear countries ready to become nuclear again at the drop of a hat.

Is that inevitable? Can something be done? Many questions remain for our next discussion.

So a final thanks to Fordham's Dean Feerick and to the State Bar and to you, Simone Smith and Carra Forgea, our wonderful State Bar administrators for this program. Thank you. May we all be inspired to take necessary steps to address the existential risks posed by nuclear weapons and utilize the full force of the rule of law to do so.