

Amena Mohsin

ANZUS NUCLEAR WARSHIP CRISIS : A FAILURE IN CONSULTATION MECHANISM*

Introduction

When the United States (US) achieves a pre-emptive strategic first strike capability in the mid-1980s, New Zealand will be tied to the potentially most aggressive nation on earth by what was intended to be a mutual security treaty. New Zealand has helped promote the US's belligerent stance. It has participated with the US in military exercises and has allowed US military experiments in its territory. *It will undoubtedly continue to do so in the future under the aegis of ANZUS.*¹ (emphasis added).

This firm American conviction about the non-vulnerability of her alliance system was pinned down by Robert Aldridge, a former US missile designer in 1978. Shattering the above conviction, the New Zealand Labour Party government banned the access of American nuclear powered ships to its ports in 1984. Washington responded by taking retaliatory measures. In February 1985, the New Zealand Prime Minister David Lange made the following statement to the American Broadcasting Corporation:

The State Department had the following two very straight-forward points : 1) the US would be stopping bilateral defense

* The article was drafted and submitted for publication before the exit of New Zealand from the ANZUS—Eds.

1. J. Henderson, et al, *Beyond New Zealand : The Foreign Policy of a Small States* (New Zealand : Methewen Publications, 1980), p. 61.

exercises; and 2) they would be stopping the sharing of intelligence information of a raw military type. *This constitutes an end to the US New Zealand defense relationship.*²

The two statements bring forth the dynamism of international power politics and its impact on the alliance system. In the wake of the ANZUS nuclear warship crisis, this paper attempts to explore the dynamism of the internal and external feedbacks that attribute to the building of a system and its susceptibility to such feedbacks in the absence of a coherent system maintenance mechanism. Finally, it calls upon the need for a coherent system maintenance mechanism to reduce system entropy. If the system is too rigid, it can snap in the winds of controversy; if it is too flexible, it bends with the wind. This paper hypothesises:

ANZUS nuclear warship crisis is the cumulative result of changes in international relations; and the failure of ANZUS partners to evolve a coherent consultative mechanism within the system to narrow down the treaty interpretation and implementation differences, resulting from the changes.

Immediate Cause

The New Zealand Labour Party government came to power in July 1985 with an election promise to ban all nuclear devices from the country. US Navy warships powered by nuclear fuel or carrying nuclear weapons were banned from New Zealand's ports. Washington called the ban unacceptable and gave New Zealand six-month breathing space by not scheduling any ship visits until late January 1986. The matter came to the fore when the US wanted to give the sailors aboard the destroyer *Buchanan* some shore leave in New Zealand. Twice Washington asked publicly if the *Buchanan* could come to New Zealand. Twice New Zealand queried about the nature of the ship. And twice Washington in keeping with Pentagon's policy refused to disclose the nature of the ship. The ship was denied

2. Background No. 468, 6 March, 1985

access to the port. Washington retaliated by cancelling the ANZUS Sea Eagle exercise scheduled for March 1985. It further announced the following measures with regard to New Zealand: i) end of bilateral and military exercises; ii) curtailment of sharing military intelligence data; iii) phasing out the training of New Zealand's armed forces in US military schools.³ The ANZUS annual council of ministers' meeting scheduled for July 1985, has been postponed for an indefinite period.

The present contest of wills between the two parties strikes at the very heart of regional security matters by questioning the credibility and validity of the ANZUS treaty alliance. No matter what the outcome is, very substantial damage has been done and the Island states will have to take a look at their security position in light of the present crisis.

Distilled down to the bottom line, New Zealand's position has been: i) ANZUS is regional in focus; ii) the region does not face any external threats, hence New Zealand does not need the protection of American nuclear umbrella; iii) the terms of ANZUS does not obligate New Zealand to accept US nuclear deterrence; iv) hence the alliance is both credible and possible even if limited to conventional deterrence.

Washington denies this, emphasizing the global focus of her alliance system, thereby de-emphasizing its regional aspect with serious regional security implications for the Island states. This then is essentially a matter of contradictory treaty interpretation.

The decision to upgrade ANZUS in 1961-1963 by the establishment of an American naval communication station at North West Cape, Western Australia, inevitably brought into it a strong element of global deterrence. However, the question of use of the nuclear deterrent may not have been the subject of formal decision within the ANZUS Council. Nonetheless, a case can be made in favour of the nuclear deterrent by invoking Article IV of the treaty which reads:

3. *Honolulu Star Bulletin*, "Lange Stands Firm on Nuclear Policy" 27 February 1985.

Each party recognizes that an armed attack in the Pacific Area on any of the parties would be dangerous to its own peace and safety and declares that it would act to meet the common danger in accordance with its constitutional processes.

The vague terms of the article and the absence of any specific commitment or obligation leave much scope for contradictory interpretations. More so in an asymmetric power position where threat perception levels often vary.

The present crisis is a direct spill-over of the New Zealand Labour Party's stand on a Nuclear Free Pacific Zone which is again at odds with the US position. New Zealand's position of an established zone would :

- 1) embrace all states and territories of the South Pacific between the equator and the Antarctic, and between Latin America and the Western limits of Australia and Papua New Guinea including American Samoa ;
- 2) prohibit the testing, placement and transit of nuclear weapons within any state or territory in the South Pacific;
- 3) evolve to include restrictions on transit through the area (i.e. International waters) of ships or nuclear weapons.⁴

By way of contrast, the US position is that :

- 1) the initiative for the creation of the zone should come from states in the region concerned;
- 2) all states whose participation is deemed important should participate in the zone;
- 3) The zone arrangement should provide for adequate verification of compliance with the zone's provisions;

4. John C. Dorrance, *Oceania & The United States : An Analysis of U S Interests and Policy in the South Pacific* (Washington D. C. : National Defense University Press, 1980), p. 69.

- 4) the establishment of the zone should not disturb existing security arrangements to the detriment of regional and international security.
- 5) the zone arrangement should effectively prohibit its parties from developing any nuclear explosive device, for whatever purpose.
- 6) the zone arrangement should not seek to impose restrictions on the exercise by other states of rights recognized under International Law, particularly the principle of freedom of navigation on the high seas, in international airspace, and in straits used for international navigation and the rights of innocent passage through territorial seas; and
- 7) the establishment of a zone should not affect the existing rights of its parties under International Law to grant or deny transit privileges, including port calls and overflight to other states.⁵

The two stands are diametrically opposed to each other. One calls for a substantial change in the status-quo, the other aims at the preservation of the status-quo with minor alterations, that too with

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the consent of the states, whose participation "is deemed important." Here again Washington holds the veto power. However, the point here is not to merit or demerit either of the stand, but to bring forth the contradiction and irony of the situation. Two states being partners of a common defensive alliance system, held diametrically opposed views on such an important security issue, yet no consultative mecha-

5. *Ibid.*, pp. 69-70.

nism was evolved within the system to narrow down the differences. Article VII of the treaty establishes a :

council consisting of the Foreign Ministers or deputies of the Parties, to consider matters concerning the implementation of the treaty. This Council was so organized as to be able to meet at any time.

This loose and informal Council which meets annually has no specific power. It is a far cry from the need of today.

Background

The Security Treaty between Australia, New Zealand and the US called ANZUS for short was signed in San Francisco on 8 September 1951, and after ratification by the parties came into force on 29 April 1952. Under Article X, the Treaty remains in force indefinitely.

The origins of the treaty can be traced back to the Australian search for allies in the post World-War era and even as far back as the war period. On 28 April 1943, Evatt, the Australian Minister for External Affairs, made the first public reference to a regional Pacific agreement. He stated:

They reckon ill who leave the Pacific out of account. In point of fact, security must be universal or everyone will be insecure. This does not mean, however, that within a system of general world security there will not be ample scope for the development of regional arrangements both for the purpose of the preservation of that security and for the handling of ordered change with that region... ..⁶

The fall of Singapore in 1941 effectively removed the British shield from Australia. The war against Japan made a profound impression on Australia and New Zealand. Most of the Island territories of Australia had come under Japanese occupation. In mid-1942, there had been a real prospect of the invasion of the Australian main-

6. J. G. Starke, *ANZUS Treaty Alliance* (Australia : Melbourne University Press, 1965), p. 9.

land, an invasion prevented only by the superiority of Allied Naval and Air Forces, primarily American. Australian appeal (27 December 1941) for American assistance for the defense of Australia marked an important turning point in the re-assessment of power balance in the South-West Pacific.

The search for powerful friends had been a crucial factor in post-war Australian foreign policy. Later, she was joined in by New Zealand. The emphasis was on a formal alliance, which was conceived of in terms of a regional security pact, that would include the major Pacific Powers. The first formal act reflecting this concern, was the ANZAC Pact of 1944, signed between Australia and New Zealand. Articles 13 and 34 of the agreement were of major significance in connection with Pacific security arrangements.⁷ Australian diplomacy came to concentrate on an attempt to secure a formal alliance with the US. The period was marked by a complete lack of interest on the part of US for such a formal commitment. However, the signing of a friendship treaty between the two communist giants, the Chinese invasion of Korea, and the decision of the US to replace the occupation of Japan by a cooperative defensive arrangement, changed the scenario. And the three states decided to go ahead with a defensive security arrangement for the region. Thus, the ANZUS treaty came into existence, under circumstances which led all three parties to believe that their common interests would be served by entering into a military alliance.

The ANZUS Security Treaty is a relatively short document, contains only eleven articles. "It does not provide in elaborate and minute detail for every matter of security or military organization in the Pacific area in which the three parties may be interested."⁸ It is a collective security arrangement made in accordance with article 51 of the UN Charter.⁹ It relates to the region broadly which is referred

7. *Ibid.*, p. 12.

8. *Ibid.*, p. 76.

9. *Ibid.*, p. 77.

to in the Treaty as the 'Pacific Area'. ANZUS impinges as little as possible upon the sovereignty of the parties as there is no automatic commitment or obligation to maintain constant political consultation (See Appendix A). The Treaty does not include any reference to new members acceding to the agreement. In view of the independence of Island states, the question of membership has important implications for the *de jure* geographical coverage of the treaty. The almost

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complete absence of objective requirements of the Collective Security arrangement under Article IV and V of the treaty, leads one to the conclusion that the framers had been over-optimistic about the continued presence of the subjective requirements of the arrangement, which among other things include : i) common perception of threat and ii) subjugation of national interest to the overall interest of the alliance.

Predictably, therefore, no need was conceived for the establishment of an elaborate consultative mechanism, other than the loose, informal council established under Article VII. The treaty then is essentially a product of the special circumstance of its time. Its framers had failed to look beyond those times and circumstances.

Functioning of the Treaty

An asymmetrical relationship as Australia and New Zealand have with the US cannot be without problems. Several vital patterns emerge from the political and military detail through which they have been expressed ; among them an American perception of vulnerability to threat and reprisal is at marked variance with that of its junior partners.

In 1962, when Indonesia attacked the Dutch territory of Irian Jaya and annexed it, Australia had expected her ANZUS ally America to act against Indonesia. Australia perceived it as a direct threat to her, because of her relationship with the rest of Papua New Guinea which was then a Trust territory of Australia. But the US took a neutral stand. Again in the mid-1970s, when the Soviet Union was attempting to establish diplomatic relations with Tonga, New Zealand and Australia had expected US to take a firm stand, but again they were disappointed by the calm attitude of Carter Administration which did not perceive it as a threat. These incidents manifest the asymmetric threat perception level of the parties involved. Some economic issues have also served as major irritants. American support for the British entry to the EEC caused much disappointment at Canberra and Wellington. They were apprehensive that it might threaten their special trade relationship with Britain. New Zealand had tried to secure easier trading access to the American market. But her failure in the attempts to develop linkages between trade and security policies led her to seek other avenues. As a consequence, she did not join her Western allies in imposing economic embargoes against the Soviet Union in the wake of the latter's invasion of Afghanistan, for by then the Soviet Union had emerged as a potential trading partner of New Zealand. The New Zealand Prime Minister went to the extent of stating that New Zealand could not cut its throat to please her Western allies. New Zealand's stand on the nuclear issue and its move in the US in 1975 to declare the South Pacific a nuclear free zone had visibly embarrassed its two partners in the world body. While these could be termed as minor public quarrels between sovereign independent nations, once the threshold level of one's limit is crossed the matter no longer remains confined within the fold of minor public quarrels.

For a long time, the Pacific had occupied a peripheral position in the US defense calculus. Its remoteness from the cold war theatre, its "Pacific Way", and a pronounced Western tilt had added to Washington's passivity. The power equation for her was relatively simple and straight-forward. The North Pacific was under her con-

trol, and the South Pacific was under the *de facto* control of her allies and friends. The Pacific was in effect an ANZUS lake—a success story of strategic denial.

As commented by Richard Herr "Global reverberations produced a resonant echo even in the distant and isolated South Pacific."¹⁰ By the 1970s, independence had opened wider external options for almost all the Pacific Island states. Vietnam reinforced the strategic position of Micronesia. The 200-mile EEZ proposal brought forth the economic potential of the island states. The establishment of diplomatic relations between the tiny Kingdom of Tonga and the Soviet Union in April, 1976, provided the catalyst for a long overdue review of South Pacific security. Britain's decision to withdraw her forces from east of Suez by the early 1970's, was followed by Nixon's Guam Doctrine of 1969. In a report to Congress in 1970, he declared:

Three times in a single generation Americans have been called upon to cross the Pacific and fight in Asia... The US will keep all its treaty commitments... we shall furnish military and economic assistance when requested and as appropriate but we shall look to the nation directly threatened to assume the primary responsibility of providing the manpower for its defense.¹¹ (emphasis added).

The message was clear, the US would not fight other people's war. In 1975, the last vestiges of a general Pacific Pact had disappeared with the collapse of SEATO. A power vacuum had emerged in the backyard of ANZUS. Power flows when there is a power vacuum. Lest it flow from an unfriendly power, the ANZUS partners undertook to review the strategic situation.

The ANZUS reassessment of the region's defense needs took place over a period of time and at several levels. Australia and

10. Richard A. Herr, "Issues of Strategy and Security in the South Pacific" (typed manuscript), p. 5.

11. Stephen Levine, *The Politics Security in New Zealand and Pacific*, Alley R (ed.), (Colorado : Westview Press, 1984), p. 290.

in market information and export contacts. Banks with the adequate knowledge of the world market and export-import information of different countries are in a position to play a substantial role by directly engaging themselves in establishing export contacts and effecting the export deals for the developing countries, particularly, for the debtor countries and thus form a strong channel for increased exports. Today, export trade has become fairly sophisticated and adequate product and market information leading to necessary product modifications can help a great deal in overcoming the ever growing barriers. It would be worthwhile for the international commercial banks to work out some special strategies for export promotion and other export activities for developing countries including special trading arrangements between countries on specific commodities and also go for more of counter trade for which they may have to set up special divisions. Apart from charging the normal commission for their business contacts and export deals, banks may even claim an extra percentage of the export earnings towards repayment of the debts. This would not only hasten the debt repayment but also go a long way in increasing the world trade. This would also open up the avenues for more productive investments in the developing world where the possibilities are immense. A time may come when the international commercial banks working in a concerted way can help reduce overlapping and over-investments in unproductive sectors. This should also help develop export-oriented banking system in the developing world which is essential for their economies.

As the world economies are no doubt interdependent, any improvement in the economics of developing countries would greatly benefit the developed countries. Indeed, the economies of the developing world could prove to be a "locomotive" for the economies of the developed world. The possibilities are immense; they need only to be tapped through proper international cooperation and financial support.

Alan Garcia seems relevant. Whatever the banks or others may suggest many debtor economies simply do not have the capacity to make the repayment under the present conditions. Alan Garcia suggested a limit of 10 percent of the export earnings for debt servicing. His proposal can be taken as a basis. This may probably be applied to the poorer countries and particularly, to the least developed countries when their debts come up for similar considerations. However, the percentage may vary depending on the strength of debtor economies but probably not exceedingly 25 percent of the export earnings of any debtor country—a case by case situation. This is nothing but another form of re-scheduling. Only difference is that this would ensure repayment, though over a longer period. Again as the proverb goes—better late than never. One should not totally disregard the call by some debtor countries to form a debtors alliance and for stopping repayment of debts probably until situation permits. This call has so far been resisted by the rest of the debtor countries. Thus a strategy has to be developed, which would allow both debtors and creditors to survive and here Baker's plan can play its role:

The bank may however, have to play some positive role to hasten the repayment of debt. The hard fact is that the debts can be paid only through export earnings of hard currencies and particularly the US dollars until the international community wishes to consider establishing possibly a new currency, "world currency" under the authority, control and management of a World Central Bank—a new or a completely restructured IMF. All countries will have to earn the currency through exports thus somewhat releasing the world from the present tension of dollar might, deficit, high interest rates, exchange rate fluctuations, currency flights etc.

Anyway, the export earnings are possible only through exports. But here again the problems are acute for the developing countries. Apart from their being faced with continued downward pressure on their commodity prices and ever-growing protectionism against their limited number of manufactures the developing countries generally lack

resources and this should no doubt be provided to them. But it would be advisable to keep the lending operations of the World Bank somewhat separate from those of the commercial banks as its lending objectives, principles, criteria and lending considerations are different. There could however, be possibilities to have cooperation only in specific projects if World Bank and commercial banks find common grounds. But this should not be the condition for commercial banks lending to the debtor countries as such conditions could frustrate the entire rescue plan through squabbles on dual and unclear responsibilities.

Moreover, one argues why the World Bank should involve itself at this late stage for joint lending and providing some form of guarantees to the commercial bank's new loans which are apparently for the purpose of recovering the old loans on which World Bank had no say. It might be appropriate for the concerned governments to consider providing guarantees to their banks.

Thus, alongwith the proposals for capping the interests rates the questions of writing off a part of the debt deserves serious considerations. By now it is clear that a good part of the debts in some countries relates to bad or no investment at all. It is no use trying to apportion the blame. However, the debtor countries and concerned banks should assess that part of the investment and decide to share the burden on an agreed basis. This would mean a part of that investment to be written off by banks. There are always some bad debts in a business for which provisions also exist. Such actions would lighten the debtors' burdens.

Apart from the above, the international community has to find ways which may permit repayment of the debts and at the same, time keep the debtor countries' economies growing. Otherwise the very foundation of their societies would be threatened. This means that debtor economies must be allowed some reasonable time for repayment of the debts and this brings in the question of re-scheduling debt over a longer period. Here the proposal of Peru's President

the exercise in somewhat limited way probably for the reason that their limited resources should not be stretched too much for only a part of the global problem. Though Baker's plan is said to be growth oriented it laid strong emphasis on "continued central role for the IMF, in conjunction with increased and more effective structural adjustment lending by the multilateral development banks (MDBs), both in support of the adoption by principle debtors of market oriented policies for growth". Baker plan says, "Emphasising growth does not mean de-emphasising the IMF". All these clearly indicate the importance that plan attaches to IMF's continued role in shaping the economies of the debtor countries and particularly in their adoption of prescribed market-oriented policies. There are suggestions that this extra emphasis on the continued role of IMF possibly indicates the fear that there is a growing tendency among some developing debtor countries to defy IMF because of its alleged anti-growth policies and that such gradual erosion of IMF authority in some parts of the developing world could pose a real threat to the very foundation of the post-War financial institutions which the developing countries and some developed countries want to re-structure.

But one could, however, detect some positive side of such involvement of IMF in the entire exercise as was suggested in the Baker's plan. It is possible that IMF, through its operation under such scheme alongwith World Bank and side by side with the commercial banks, may find good reasons and new basis for changing some of its conservative policies. Baker's plan itself suggested that 'it (IMF) must also develop new techniques for catalysing financing in support of further progress'. Necessary change of IMF's conservative policies might make its image somewhat better among some of its members which are critical of it.

But, there are suggestions that the 'joint lending' by the World Bank and the commercial banks with "enhanced surveillance" through continued IMF involvement may complicate World Bank lending in the developing debtor countries. Debtor countries need the extra

basic plan for 'Future Debt Reorganisation', the subsequent lending by commercial banks would also have been somewhat regulated and probably much of today's debt problem could have been avoided. Unfortunately in those days some developed creditor countries insisted that the governments have no control on the commercial banks nor could they agree to involve the international financial institutions in such private debt operation and management.

But the tone has changed somewhat recently. The kicks are at the door. Even the US Treasury Secretary Baker's plan put forward in the last annual meeting of the IMF-World Bank spoke not only of commercial bank's "new lending in support of policies for growth in the developing nations" but also brought in World Bank, Inter-American Development Bank and more interestingly the IMF for help—almost a fire-brigade approach. Of course, the conditionalities were attached—more privatisation of the economies, foreign private investments, tax cuts, end of import controls and export barriers including subsidies etc. There were indeed some extra doses over IMF prescriptions.

Baker's plan of course, promised \$ 30 billion to about 15 main developing debtor countries over a period of 3 years, but of this \$ 20 billion would have to come from commercial banks. Though commercial banks have made some moves on this, one does not know how far they would go. Would they like to invest more money into the economies which are already facing serious difficulties—something like throwing good money after bad money? Only difference is that previously they lent it under the bad advice but now under the advice of the authorities who could be reached for any future rescue:

Baker's plan has for valid reasons asked the commercial banks to get involved in a bigger way with more money as it is their money which is stuck and needs to be recovered. Out of total debt of nearly \$ 400 billion of the Latin American countries about a third is reportedly owned by US banks. Some banks were reportedly generous enough to lend much in excess of their allowable limits.

Baker's plan involved the international financial institutions like World Bank, Inter-American Development Bank and also the IMF in

time the struggle of black South Africans is gathering momentum and the situation is vulnerable and uncertain. So it would be in the West's own best interest to impose mandatory comprehensive sanctions on South Africa and to put sufficient pressure on the regime in Pretoria to compel it for negotiations with black African leaders; otherwise the West will have to lose more when South Africa goes up flames and subsequently a black majority government will be established which may denounce any linkage with the collaborators of their oppressors. And ultimately it may create an opening for the Soviets in South Africa who have already strong footholds elsewhere in Africa.

The US, as a superpower and the leader of the free democratic world, has more responsibility to seek ways and means for peaceful negotiations among blacks and whites in South Africa. If the present trends continue, the question becomes apparent whether the US would disregard its interest elsewhere in lieu of its stakes in South Africa or try to reevaluate its policies along with more democratic lines in a pragmatic way. But the problem is that although a complete isolation of South Africa is not possible on economic grounds, America perceives the "threat of communism" more grave than economic setback and Reagan Administration undoubtedly believes Pretoria's propaganda calling anyone demanding radical change in South Africa as "communist". It appears appropriate that before adopting any policy in regard to apartheid regime in South Africa, Washington should take into consideration the unhappy experiences of failures of its policies in Angola, Ethiopia, South Yemen, Nicaragua and Iran where grand strategies were pursued without concern for their local consequences.

From the historical experiences it is evident that the nation states which emerged through national liberation movements, radical changes or even with the help of the communist countries did not always fall in the orbit of Soviet influence, rather there are examples that countries being independent under direct Soviet support and help soon became friendly with the USA. And from the very nature and characteristics of South African economy, trade and commerce it is more obvious that any regime in Pretoria will have to maintain close linkage with the West.

Moreover, there are many countries in Africa who are also concerned about the growing Soviet expansion in Africa and Washington may coordinate its policy with them with a view to finding out a common strategy vis-a-vis South Africa. At the same time the US will have to play a constructive role in solving the problems of independence of Namibian people which may create confidence among South African blacks about the US intentions which will, in turn, increase possibility of a peaceful transition of power in South Africa with the US mediation.

The US may also take initiatives to improve relations with South Africa's neighbouring countries and seek their cooperation in finding out an acceptable formula for peaceful transition in South Africa. And although most of the bordering countries have close linkage with Moscow, because of economic and financial stakes they seem to be interested to develop relations with Washington which will provide the US with loose manoeuvrability to solve the problem in South Africa.

Finally, the US should not go alone with her South African policy, rather she should coordinate it with the allies, particularly with the Europeans who are also deeply involved in South Africa and more experienced in African politics because of their colonial past.

IV

The US's close relationship with Pretoria government, practising apartheid, is facing strong international condemnation. At the same

arrangement with Fiji and Tonga.¹⁴ An effective denial strategy is advantageous to the island states, too, as it ensures the present status-quo. The political costs of a South Pacific Cuba are too obvious.

The island states have long shared the distrust of nuclear weapons, but they have been persuaded that the ANZUS alliance depends substantially on the protection of the American nuclear umbrella. The present controversy, therefore, strikes at the very core of their security phenomenon. The Cook Islands, Fiji, Papua New Guinea and Tonga have perceived the crisis as affecting their security. Fiji has joined Tonga in declaring that US ships would be welcome in their ports. Lately, Washington has promised military aid to Fiji. The significance of this development is not lost to the political analyst despite Washington's denial of any intent to seek Fiji as a substitute for New Zealand.

New Zealand's Stand

New Zealand's insistence on her loyalty and adherence to the ANZUS treaty in spite of the nuclear ban shows that New Zealand is not disloyal to her treaty obligations. Rather, her perception of the treaty obligations have changed. The change is the cumulative result of changes in her domestic and international milieu. Foreign policy begins at home. New Zealand's foreign policy should no longer be interpreted as an extension of the policies of a major ally. It should be viewed as the efforts of a small state seeking to project an independent course to further its national interest. Small state behaviour in international affairs usually manifest the following characteristics:

- (1) *Low participation* : Because of their limited resources, small states can maintain only a low level of participation in world affairs;
- (2) *Narrow scope* : Their limited resources lead to a narrowing of scope of foreign policy behaviour to a necessarily restricted

14. Dorrance, *op. cit.*, p. 49.

functional and geographic definition of what is relevant to the nation;

- (3) *Economic focus* : Small states seek to make maximum use of their limited resources by giving priority to economic factors;
- (4) *Internationalism* : In order to compensate for their limited resources, small states seek to conduct much of their foreign policy within the framework of international organizations, agreements, or alliances;
- (5) *Moral emphasis* : Small states frequently take moral or normative positions on international issues;
- (6) *Hawks or doves* : Opinions differ over the extent to which size affects the foreign policy behaviour of a state. Traditional International Relations literature maintains that small state avoid behaviour which might alienate more powerful states. However, empirically based research has shown that because of their limited ability to do anything about potentially disadvantageous developments in the international arena, small states are crisis-prone, and may resort to hostile, tough-minded protest and even conflictual behaviour.¹⁵

New Zealand's continued economic problems and the insensitivity of her traditional friends and allies towards her repeated endeavours forced her to take the national interests into stock. She embarked on an agricultural foreign policy, emphasized regionalism and her Polynesian heritage. The Vietnam war initiated mass participation in foreign affairs in New Zealand. The Vietnam protest gave rise to other protests related to New Zealand's participation in the American alliance. The protestors have made the point that the harbouring of American nuclear facilities in New Zealand, instead of acting as a shield of protection, takes the form of a magnet that attracts nuclear attacks on her. In the 1970s New Zealand's Labour Party government

15. Henderson, *op. cit.*, p. 3.

strongly protested against French nuclear testing in the Pacific. The government's Attorney-General Martyn Finlay presented the case to the International Court of Justice. When France ignored the court's interim injunction, a New Zealand frigate was sent to register and publicize her silent protest. As a result, the French government was forced to give up her atmospheric testing and resort to underground testing.

Traditionally, the Labour Party Prime Ministers have stressed the moralist element in New Zealand's foreign policy; whereas the National Party Prime Ministers are hard realists. The attitude of New Zealand's political parties towards the issue could be summed up as under :

National Party	—	Total Alignment
Labour Party	—	Qualified Alignment
Social Credit Party	—	Armed Neutrality
Values Party	—	Unarmed Neutrality

In November 1978, the New Zealand Foundation for Peace Studies distributed a questionnaire dealing with aspects of New Zealand's defense policies. Table I shows the respondents, attitude to the question, "Do you agree that New Zealand government should give permission for American nuclear powered ships to New Zealand port?"¹⁶

Table I
(Figures are in percentage)

	Nat. Cand.	Nat. Voters	Labor Cand.	Lab. Voters	S.C. Cand.	S.C. Voters	Value Cand.	Value Vot.
Disagree	6.7	17.4	86.0	61.4	34.8	44.4	93.7	76.2
Agree	86.7	73.4	4.7	31.4	39.1	43.3	3.2	23.8
Undecided	6.7	5.0	9.3	4.6	10.8	6.3	1.6	—
Others	—	4.1	—	2.6	15.2	8.0	1.6	—

16. Stephen Levine, "Public Opinion and Foreign Policy", *New Zealand International Review*, March-April 1980, p. 20.

In March (1985) a survey of national polls in New Zealand, to the question, "Should New Zealand continue with the nuclear ban, even if the cost is withdrawal from ANZUS?", had the following results:¹⁷

Agree	—	45%
Disagree	—	45%
Undecided	—	10%

Richard Kennaway, a political scientist from New Zealand had addressed himself to the ANZUS question, noting that the focus of the treaty was on security and that it was intended when signed to constitute an effective deterrent and to provide actual assistance when needed. He identified five major factors which had led to growing questioning of its value :

- 1) The fact that since 1951, there had been no immediate threat to this country's security, nor was one expected to grow;
- 2) A growing belief that as a result of the alliance New Zealand had become a target for nuclear weapons from which there was no protection, ANZUS thus being irrelevant to security;
- 3) A more general appreciation of the impact of a nuclear holocaust upon this country;
- 4) An increased awareness of the potential security costs of ANZUS as highlighted by the establishment of American military installations and the visits of nuclear armed and powered warships; and
- 5) The fact that major threats to New Zealand were economic in the shape of agricultural protectionism, rather than military.¹⁸

The Labour Party government appears to be convinced that there are no immediate nuclear threats in the region. Therefore, New

17. Information gathered from Stuart Mc Millan, Staff Writer, *The Press*, New Zealand.

18. Terry J. Hearn, "Arms, Disarmament and New Zealand" *New Zealand International Review*, July/August 1983, p. 5.

Zealand can do more to improve the global situation by opting out of any contribution to this strategic nuclear balance than by helping to maintain it. But it does perceive a genuine need of continuing with the ANZUS, which it believes is regional in focus and does not require a nuclear deterrent.

The US Stand

Due to a Zoroastrian attitude towards foreign policy, the Reagan Administration disputes New Zealand's stand, even to the extent of suggesting that the alliance would be impossible were New Zealand's interpretation to prevail.

The Reagan Administration came to power with an election promise to reverse the decline of American power and to negotiate with the Soviets from a position of strength. Washington is apprehensive of the emerging symptoms of world-wide nuclear allergy. The island states favour the creation of a nuclear free South Pacific zone. The anti-nuclear movement in Japan has tried to bar visits of American warships. Greece has rejected a NATO request to upgrade US nuclear weapons stationed there. Norway and Denmark have stated that they would accept nuclear weapons only in wartime. Belgium is consulting with other NATO allies about whether she could delay deployment of US cruise missiles. The Green party is making a slow but steady emergence in the West-German political scene.

Over 40 percent of US naval ships are nuclear powered. It is Pentagon's long standing policy to keep the nature of her ships a

The US alone cannot provide adequate deterrence in the face of expanding Soviet offensive warfighting capabilities. Deterrence requires the full range of post World War II alliances in Asia, the Pacific, Europe and the Americas.

secret for military security reasons. Washington sees the present crisis as a test case. Any weakness on her part might send a wrong signal to her friends and adversaries, with a negative domino effect.

Churchill's warning, "by a process of sublime irony safety will be the sturdy child of terror and *survival the twin brother of annihilation*", (emphasis added) became a fact of life in the 1950s. The deadly logic of deterrence came to be based on the following principles :

State A — Ability + Willingness to fight

State B — Perception of State A's ability + Willingness to fight

The subjective element of this deadly logic necessitates the demonstration of unity. Washington sees ANZUS as an important chain in her global network of alliance system, hence the insistence on nuclear deterrence. If New Zealand could get away with it, this would set dangerous de-nuclearization precedents and contribute to global perceptions of eroding US power relationships and ability to project power.

Washington's military/strategic interest in the region could be summed up as :

- 1) maintenance of secure sea and air lanes of communication throughout the North and South Pacific in peace and in war, including naval access to all parts of the region;
- 2) denial of the region to hostile bases and forces. This is evidenced both by the tortuous negotiations with the Micronesian entities and in the defense clauses of the treaties of friendship with Tuvalu and Kiribati; and
- 3) preservation of the friendly and stable political environment supportive of the above interests.¹⁹

Washington's logic is anticipation of threat is an art, beset with uncertainty. Vigilance is the eternal cost of liberty, so one must be prepared for war to avoid war. The US alone cannot provide adequate deterrence in the face of expanding Soviet offensive war-fighting capabilities. Deterrence requires the full range of post World-War II alliances in Asia, the Pacific, Europe and the Americas.

19. Dorrance, *op. cit.*, p. 33.

Secretary of Defense, Casper Weinberger summed up US security interests in the region this way :

Five of the seven defense agreements to which the US is a signatory are located in the Asia/Pacific region. They include bilateral treaties with Japan, Korea, and the Philippines; the Manila pact which adds Thailand to our treaty partners, and of course the ANZUS treaty. *From the US perspective, each of these agreements is more important today than on the day we signed it.* US interests in the Pacific, already vital to maintaining our security, are becoming even more important. For example; our trade with our Asian-Pacific neighboursnow account for 28 percent of all U. S. foreign trade, more than our trade with any other region. Free world economies depend increasingly upon essential raw materials and trade which travel the vital Pacific sea-lanes.²⁰ (emphasis added).

Australian Stand

Late in January, in a letter to the New Zealand Prime Minister (leaked to the press), the Australian Prime Minister expressed his dissatisfaction over New Zealand's stand. The letter read :

We could not accept that ANZUS alliance had a different meaning and entailed different obligations for different members.²¹

Hewoever, the official Australian policy had been one of neutrality. Prime Minister Hawke categorically stated that, he does not intend to bully or persuade New Zealand over its anti-nuclear dispute with the US. The government has undoubtedly been caught in an unhappy situation. It has increasingly come under attacks by the opposition for standing by and watching the controversy take a serious turn. Unlike New Zealand, Australian defense has to take into account both the Pacific and the Indian Ocean. After the Guam doctrine,

20. *Ibid.*, p. 8.

21. *The Wall Street Journal*, "ANZUS Unravelling" (editorial) 6 February 1985.

Australia felt the need to develop a credible self-reliant defense. By a predictable irony Australia found that the attempt to devise a new credible and self-reliant policy for the defense of continental Australia led in many respects straight back to the need for close military, technology and intelligence ties with the US

Both the opposition and government party in Australia consider ANZUS vital for Australian defense though with difference in orientation. Herr has summed up their position as:

Liberal National Party coalition governments tend to consider themselves lieutenants assisting their great and powerful captain in a single global contest. Labour governments are more inclined to see their global security responsibilities in terms of a colleague rather than of a lieutenant. Instead of a single worldwide struggle, they perceive a number of arena not all of which are interconnected and not all of which affect Australian policy.²²

Australia has taken a reasonably soft stand on the question of Nuclear Free Zone in the South Pacific. Her proposal envisage the following: The deployment of nuclear weapons would be banned in the South-West Pacific Zone; the stockpiling of nuclear weapons would be banned in that zone; that would include base development. It would ban the testing, acquisition and development of nuclear weapons. It would ban the dumping and storage of nuclear wastes. It would not seek to stop the transit of ships or the overflights of planes with nuclear arms aboard going through the South-West Pacific region,

Australia does not seek to stop the transit of ships through South-West Pacific for two reasons: Its ANZUS commitments and International Law. Under International Law, states have rights of innocent passage on the high seas and through 200-mile zones, but

22. Richard A. Herr, "The American Impact on Australian Defense Relations with the South Pacific Islands," for "Australian Defense and National Security: The American Effect." Australian Studies Center, Pennsylvania State University, 1984. p. 10.

not through the 12 mile limit. Therefore, the extent of exclusive zone, under the Australian proposal is the 12-mile limit. This position has been accepted by the US government.

Conclusion

From the foregoing analysis, the following be concluded:

- (1) ANZUS is important for regional security;
- (2) Its importance has been acknowledged by all the parties concerned; and
- (3) The controversy is essentially a matter of contradictory treaty interpretation.

This leads us to the premise of the paper:

The crisis is the cumulative result of changes in international relations; and the failure of ANZUS partners to evolve a coherent consultative mechanism within the system to narrow down the differences.

While the failure can be attributed to:

- (1) asymmetric power position within the alliance;
- (2) asymmetric threat perception level;
- (3) absence of any actual or potential physical threat to the region; and
- (4) the peripheral position occupied by the South Pacific and for that matter ANZUS, within the US global alliance system, over a long period.

But it is hoped that the present crisis would serve as a feedback towards the evolvement of an effective crisis management mechanism within the ANZUS treaty system.

Article II

In order more effectively to achieve the objective of this treaty the Parties separately and jointly by means of continuous and effective self-help and mutual aid will maintain and develop their individual and collective capacity to resist armed attack.

Article III

The Parties will consult together whenever in the opinion of any of them the territorial integrity, political independence or security of any of the Parties is threatened in the Pacific.

Article IV

Each Party recognizes that an armed attack in the Pacific Area on any of the Parties would be dangerous to its own peace and safety and declare that it would act to meet the common danger in accordance with its constitutional processes.

Any such armed attack and all measures taken as a result thereof shall be immediately reported to the Security Council of the United Nations. Such measures shall be terminated when the Security Council has taken the measures necessary to restore and maintain international peace and security.

Article V

For the purpose of Article IV, an armed attack on any of the Parties is deemed to include an armed attack on the metropolitan territory of any of the Parties, or on the island territories under its jurisdiction in the Pacific or on its armed forces, public vessels or aircraft in the Pacific.

Article VI

This Treaty does not affect and shall not be interpreted as affecting in any way the rights and obligations of the Parties under the Charter

of the United Nations or the responsibility of the United Nations for the maintenance of international peace and security.

Article VII

The Parties hereby establish a Council, consisting of their Foreign Ministers or their Deputies, to consider matters concerning the implementation of this Treaty. The Council should be so organized as to be able to meet at any time.

Article VIII

Pending the development of a more comprehensive system of regional security in the Pacific Area and the development by the United Nations of more effective means to maintain international peace and security, the Council established by Article VII, is authorized to maintain a consultative relationship with States, Regional Organizations, Associations of States or other authorities in the Pacific Area in a position to further the purposes of this Treaty and to contribute to the security of that Area.

Article IX

This Treaty shall be ratified by the Parties in accordance with their respective constitutional processes. The instruments of ratification shall be deposited as soon as possible with the Government of Australia which will notify each of the other signatories of such deposit. The Treaty shall enter into force as soon as the ratifications of the signatories have been deposited.

Article X

This Treaty shall remain in force indefinitely. Any Party may cease to be a member of the Council established by Article VII one year after notice has been given to the Government of Australia, which will inform the Governments of the other Parties of the deposit of such notice.

Article XI

This Treaty in the English language shall be deposited in the archives of the Government of Australia. Duly certified copies thereof will be transmitted by that Government to the Governments of each of the other signatories.

IN WITNESS WHEREOF, the undersigned Plenipotentiaries have signed this Treaty.

DONE at the city of San Francisco this first day of September, 1951.

For Australia:	Percy C. Spender
For New Zealand:	C.A. Berendsen
For the United States of America:	Dean Acheson John Foster Dulles Alexander Wiley John J. Sparkman