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**Neither Confirm Nor Deny:
Language, Logic and Morality
in Foreign Policy**

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ABSTRACT:

Contrary to International Relations "realists", all positions, including their own, are grounded on moral/ethical assumptions and couched in rhetorical terms. This insight is applied to the dispute between the United States and New Zealand over the issue of the superpower's continued wish to neither confirm nor deny the presence of nuclear weapons aboard its naval vessels and aircraft. The paper explores the language of ANZUS alliance management (especially the rhetorics of "sacrifice", "security", "courtesy", "community" and "consistency") and attempts to relate the discourse to the historical and cultural roots of such a policy. Finally, it addresses the implications of recent geopolitical events and the revision of the NCND formula for the future of the policy.

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Introduction

Western foreign policy debates often revolve around an opposition between "realists" and "idealists". In terms of the nuclear ship controversy of recent years, this contrast equates to a conventional distinction between those who support visits by nuclear-armed or -propelled ships or both ("realists") and those who oppose them ("idealists"). The opposition has particular appeal to the former because of the taken-for-granted nature of their reality. Having the so-called "real world" on your side may entail leaving the moral high ground to your opponents but it is fairly easy to show that their motives are suspect and entrapped in ideology. To be a realist is to see the world "as it is", unvarnished, with no haze of values or ethical claims obscuring it.

I will be arguing, by contrast, that all policy positions stem from, and are underpinned by, moral and ethical claims, as well as practical ones. To illustrate this proposition requires a clear focus on the language of all participants to a debate — military and political leaders, activists, diplomats, academics, journalists and ordinary citizens. Here I choose to discuss one topic of discourse that lies in the realm of nuclear foreign policy: arguments over neither-confirm-nor-deny.

In order to do so, I draw loosely on theory influenced by the writings of Michel Foucault, that treats discourse as "a set of linked and historically limited ideas embedded in texts, utterances and practices, that concern procedures for finding, producing and demonstrating 'truth'" (Goldsmith n.d.: 2; Kress 1985). Discourse can be seen as the "ground" against which "figures" of speech and rhetoric are expressed. Rhetorics which are opposed at one level may be part of a more global and unified discourse at another; conversely, discourse (understood as the taken-for-granted limits of language) contains within itself competing, complementary and sometimes contradictory arguments and can itself be recruited to serve rhetorical ends (e.g., Kelly 1988). There are indeed several overlapping and opposing rhetorical strategies involved within the discourse I am about to discuss. Put briefly, they include arguments based on appeals to (or denials of) sacrifice, security, courtesy, community and consistency.

Neither Confirm Nor Deny

In this paper, let me be clear, I am not overtly concerned with demonstrating the awfulness of nuclear weapons or the safety or otherwise of nuclear-propelled or -armed warships. That these concerns are real and therefore of political consequence is implicitly recognised by the very existence of the policy labelled "Neither Confirm Nor Deny" (NCND), a set of conventions adopted by most acknowledged nuclear powers when they are required to justify

the transit of nuclear armaments through other countries by air or sea. It has special ramifications, however, where the host and guest nations are both democracies with traditions of, or pretensions to, open public debate on matters of national concern. It is then that the perceived need for a rhetoric of justification comes into play most clearly — and becomes most problematic. One type case has been the dispute between the United States and the fourth Labour Government of New Zealand (1984-90), which has continued to affect diplomatic relations under a National administration in Wellington (1990-present). The interest and the abundance of documentary material which this case has generated in New Zealand make it a logical focus for this paper — though much of what I have to say undoubtedly applies to other countries and alliance relationships.

For the New Zealand Government, the issue of NCND came to a head in early 1985 when it received and denied a request from the U. S. Government for a port visit by the United States Navy's conventionally powered but nuclear-capable cruiser *Buchanan*. Both governments, as well as a large number of other interested parties, immediately launched a series of claims, counter-claims, accusations and excuses.

Here is the view of Dora Alves, an academic with strong links to the American military, describing the impasse soon after it took place:

Behind the denial was the real and politically potent issue of nuclear arms. Though the *Buchanan* is conventionally powered, the New Zealand Labour Party caucus still took issue. While it is easy to determine whether a ship is nuclear-capable, it is difficult to determine whether a ship is actually carrying nuclear weapons at a specific time to the satisfaction of peace groups. Since Mr. Lange [New Zealand Prime Minister 1984-89] maintains that New Zealanders do not want nuclear weapons on their soil or in their harbors, his government will provide port access only to vessels conventionally armed. Yet *as a matter of principle*, the United States, like other nuclear powers, neither confirms nor denies the presence or absence of nuclear weapons aboard its ships or aircraft. Neither side compromised....(Alves 1985: 2; emphasis added).

Note the justification, "as a matter of principle". Actually working out the principle(s) involved, though, is not so easy. Alves may be making the point that to stick with a policy is a "matter of principle" precisely because to abandon it is to admit one's previous fault and that of one's colleagues. Loyalty of this kind is arguably a principled stance and it was certainly invoked during the crisis. The United States government reacted to New Zealand's rejection of the port visit with a tone of injured surprise.

Washington *expected* as well as *hoped* that after careful and sensitive negotiations, a *modus vivendi* had been cobbled together and that an old, conventionally powered destroyer of a class that *could*, but that did not necessarily, carry nuclear-tipped anti-submarine armament would be admitted.[...] The essential point is that New Zealand balked.[...] Regardless of who misunderstood whom about the original formula for a visit by the *Buchanan*, the American side felt bitter, even deceived (Albinski 1988: 86; emphasis in original. See statements quoted in Tow 1989: 127 and 1991: 366).

In the course of the ANZUS dispute, Washington's rhetorical approach has been to establish prior alliance commitments as the taken-for-granted basis of the discourse, placing the New Zealand stance in question rather than the American. As we shall see, the form of words by which NCND was expressed until 1992 begins with the phrase, "It is the *consistent* policy of the United States..." (my emphasis) — and consistency is often touted as a virtue. On this argument — vigorously espoused by Ramesh Thakur (1989: 926-7), for example — the United States is virtuous (or at least justifiably aggrieved), New Zealand is not.

Another American strategic analyst, William Tow, characterised the *Buchanan* dispute as New Zealand's "nuclear rubicon". The NCND policy was one "which Washington believed had to remain in place as the primary *modus operandi* for ANZUS to continue its role in overall U. S. extended deterrence strategy" (1989: 128). He defines this latter policy as "the application of American strategic power — including nuclear-capable forces — in the ANZUS treaty region to protect the ANZUS allies from external attack and to prevent the outbreak of regional war in the Southwest Pacific through the neutralization of extraregional threats" (Tow 1989: 122, fn 9).

At the height of the Reagan presidency, this strategy amounted to preparations for a what the Pentagon called a state of "permanent pre-hostilities" (Calder 1985: 18). The American foreign policy establishment did not, in Tow's view, see the New Zealand 1985 nuclear ship ban as "a principled stand". Rather,

Washington...regards the ANZUS imbroglio as an unwarranted disruption of its Asian-Pacific strategy at the very time when the Reagan administration had set out to rebuild the United States' global military power (Tow 1989: 119).

Yet there was advance warning over a number of years that something like the *Buchanan* incident might occur. During the 1970s, there had been regular protests against the visits of U. S. surface warships and submarines, especially against those which were nuclear-powered as well as nuclear-capable (e.g. *Truxtun*, *Longbeach*, *Pintado*). There was also a long history of New Zealand concerns over the safety of nuclear arms and reactors.

The safety issue, in fact, lay behind New Zealand's first nuclear warship "ban" from 1969 to 1975, imposed by a National Government, maintained with some uncertainty by the third Labour Government (1972-75), even after the U. S. government had passed legislation providing for indemnification of losses caused by reactor accidents, and finally lifted by the new Muldoon National administration early in 1976 (Clements 1988: 84-5). The interlude has been called "the liability suspension" (Pugh 1989: 68-69). It was an indication even then that New Zealand governments could and would take notice of popular feeling concerning nuclear-powered ship visits, though the carriage of nuclear weapons as such was never officially questioned during the same period.

Michael Pugh has argued that, among the lasting repercussions of the liability suspension,

...the question of liability for reactor accidents became insuperably linked to the problem of carriage of nuclear weapons and thus to disquiet about the neither confirm nor deny policy.... [A] controversy had arisen in 1974 when Retired Admiral Gene La Rocque testified before a US congressional committee that he had never known a nuclear capable vessel not to carry nuclear weapons: 'They do not off-load them when they go into foreign ports such as Japan or other countries. If they are capable of carrying them, they normally keep them aboard ship at all times except when the ship is in overhaul or in for major repair.' This had caused a storm of protest in Japan and was noted by anti-nuclear campaigners in New Zealand. Numerous conventionally powered frigates and destroyers (some nuclear capable) had visited during Labour's term of office (Pugh 1988: 57; footnotes omitted).

Pugh may have overstated both the depth of the reaction in New Zealand (NCND was yet to become a truly major issue) and the number of visits (which remained much the same under Labour as under National). His last sentence implies that it was only after 1974 that people became aware of the likelihood that most, if not all, of those visiting ships carried nuclear weapons and that the NCND policy was designed to conceal precisely that fact, even from a friendly ally. For the next ten years, New Zealand governments did not question the policy in any overt fashion. Nevertheless, the earlier ban on nuclear-powered vessels was important for providing anti-nuclear activists with tactical experience as well as in preparing the ground for the later debate over weapons. They are linked logically by the extent to which both reactors and weapons raise questions about safety and responsibility for accidents. Indeed, accidents or incidents which may involve nuclear weapons have provided some of the few occasions on which the U. S. Government relaxes its NCND policy. Thus, after a 1987 incident involving a B-52 bomber at Guam, CINCPAC Honolulu authorised the issuing of information about the carriage of nuclear weapons, if only to deny their presence on board.

In fact, there are standing instructions from the U.S. Commander in Chief Pacific (1984) which allow NCND to be suspended in the case of a serious nuclear weapons accident. According to White, however, NCND "does *not* apply to missile-firing submarines (whose role cannot be disguised) nor in some cases to aircraft. The United States has stated publicly, for example, that the B-52s which rotate through Darwin do *not* carry nuclear weapons" (1988: 2; emphasis in original. See also White 1990: 43-4; Mack 1988: 2, fn 2).

These departures from strict NCND indicate a diplomatically useful ambiguity between stated policies and actual practices. It is the slippage between policies and practices which allows the U. S. Government to state that its NCND policy is respected, that it works, and that it is understood. White's investigation of policies in 55 countries (1989) found that about 20 nations prohibit nuclear-capable ship visits in principle by some form of words, but that only five at most do not actually allow such visits. There is also a degree of confusion over which American ports do or do not deny access: the U. S. Navy avoids some ports but usually says that this is because they are "unsuitable", not because it wishes to avoid public opposition (see Calder 1985 for a discussion of some of the political debate).

New Zealand politicians have also allowed some slippage on this issue. Since 1985, the Labour and National administrations have said that they would prevent ship visits from proceeding under the cover of NCND. Such visits are highly symbolic, surrounded by great publicity, and infrequent. Yet both Labour and National have fudged the issue on the matter of possible nuclear weapons transshipment by aircraft through the Deep Freeze base in Christchurch, leaving them open to accusations of hypocrisy from critics of the anti-nuclear stance. The critics are partly right, though for the wrong reasons.

Ramesh Thakur, for instance, has argued that the "New Zealand Nuclear Free Zone, Disarmament and Arms Control Act of 1987 cuts moral corners by permitting U. S. military aircraft to continue using Harewood airport in Christchurch for Antarctic operations without abandoning the U. S. policy to neither confirm nor deny (NCND) the presence of nuclear weapons aboard any vessel anywhere at any time" (Thakur 1989: 920). Thakur is certainly within his rights to point out the inconsistency. However, the last point is factually incorrect (as mentioned above, the American government does permit the policy to be breached under certain conditions) and he goes on to obfuscate the issues by drawing an unjustified parallel between the military and peaceful uses of nuclear energy. Rather unconvincingly, he claims to find a contradiction between banning nuclear weapons while "permitting the use of nuclear devices for approved medical and research purposes" (Thakur 1989: loc. cit.). The all-or-

nothing flavour of this argument mirrors the Pentagon's rigid insistence that there can be no exceptions to NCND — except when it suits them.

Similarly, Tow, an advocate of deterrence doctrine, was presumably trying to embarrass the Labour Government by his reference to "a secret agreement reportedly... reached in early 1987... on guaranteeing the continued operation of the U. S. Antarctic supply base in Christchurch without U. S. military transport aircraft having to confirm or deny whether nuclear weapons or devices were on board" (1989: 140). In fact, there is no evidence for such a deal other than by his assertion; more to the point, no such agreement was needed. American airplanes had been flying in and out of the base for many years, had routinely declared that they carried no "warlike stores" (in itself a breach of NCND) and had been continually inspected by New Zealand customs officers (White 1990: 40-1).

For the purposes of this paper, the rhetoric of a major player in the ANZUS crisis is rather more revealing. David Lange has openly attempted to justify his stance on the matter. Comparing peace activists' fears over nuclear weapons on Deep Freeze aircraft to ludicrous parallels with the weapons-carrying capacity of the royal yacht *Brittania*, he argues that the anti-nuclear legislation allowed him to create a blanket exemption for the Starlifters used in that operation: "In cases where we were capable of drawing our own conclusions, it didn't matter that the Americans remained silent" (Lange 1990: 174). That last phrase is significant. It shows that Lange never really followed through the logic of his position against NCND, preferring instead to let things slide where possible. The inconsistency is highlighted by his analysis of how the Harewood solution was interpreted by both sides. To begin with, he argued that the Americans chose to regard the approval as unconditional: "Because they didn't have to get clearance for each individual flight, *they could assert to themselves and anyone else who cared to listen that the New Zealand Government was indifferent to the cargo carried in the aircraft*" (1990: 175; emphasis added). Within a few lines, Lange subtly changes direction:

This was my understanding of what was happening. The State Department *wouldn't set itself to boasting that New Zealand had succumbed to the demands of America's nuclear strategy*, while I wouldn't go round declaiming that the United States was complying with New Zealand's nuclear-free policy. The understanding never amounted to any kind of agreement, either formal or informal: the State Department used to take strong exception to the least suggestion that New Zealand and the United States had reached any kind of accommodation over Harewood. Just as I didn't want to be seen as surrendering to them, they didn't want to be seen as complying with the nuclear-free policy. With this agreement not to agree I was pleased enough.[...] I wasn't very happy about having to hedge, but it seemed silly to lose an inoffensive operation like Harewood to score rhetorical points (1990: 175, 177; emphasis added).

The assumption that the Americans would not boast about their defeat of the New Zealand policy sits uneasily with the sentence that concedes they were free to assert the success of NCND under the terms of this cosy understanding. Lange can laud the cleverness of his solution and the room it gave for neither confirming nor denying the existence of an agreement. Unfortunately, he not only sidesteps the implication that his stance was as much a facesaving device as the Americans' but also overlooks the fact that, in effect, even an unstated "agreement not to agree" amounts to an informal agreement. He may have been correct in his judgement that American planes probably do not carry nuclear weapons through Christchurch but he effectively refused to challenge NCND in this arena — and admits as such by the use of the term "hedge". For all his criticism of superpower nuclear strategy, he fails to see that NCND was nurtured by this attitude of tacit acceptance.

Defending and Attacking NCND: The Military Argument

Geopolitical events since 1985 have changed the context in which NCND operated over several decades. My comments in this section apply specifically to the heyday of this policy, up until the putative end of the Cold War when certain changes in practice and rhetoric occurred. I will address the significance of these changes in due course but will focus for the moment on the "classical form" of NCND in order to disentangle its logic. There is another reason to do so: the more recent discursive elaborations are best understood in relation to the earlier paradigm.

During and just after the main ANZUS crisis, the standard NCND formula which American navy personnel were coached to produce under questioning went as follows:

It is the consistent policy of the United States Government to neither confirm nor deny the presence of nuclear weapons aboard its naval vessels. Apart from this I have no further comment.

An initial defence for this formula might be that it protected officers and other ranks from the embarrassing choice of either having to lie or offending their hosts with the brutal truth. ("Ask me no questions and I'll tell you no lies".) NCND reveals a residual desire to maintain the moral basis of a particular relationship by at least not openly lying to the other participant. This justification by an appeal to "trust" may seem thin but in fact it is an important underpinning for the rhetoric of courtesy.

The standard American defence of NCND, as opposed to its simple exercise during port visits, was naturally more complex. It gave reasons for the policy,

reasons which were rooted in the discourse of collective Western security, alliance management and military logic.

My main source is a briefing package from the U. S. Embassy in Wellington in mid-1989. In an accompanying letter, the then Deputy Chief of Mission wrote that, "The policy...has as its fundamental purpose the military security of nuclear weapons" (La Porta 1989). Among the enclosures was a five-paragraph explanation of the "Neither Conform [sic] Nor Deny Policy", dated 23 April 1987. I quote it in full:

The United States maintains a longstanding policy of neither confirming nor denying (NCND) the presence or absence of nuclear weapons at any general or specific location, including aboard any U.S. military station, ship, vehicle, or aircraft. This policy, which is common among the Western nuclear allies, has as its fundamental purpose the military security of nuclear weapons.

By neither confirming nor denying the presence or absence of nuclear weapons, those who would threaten the weapons, including terrorists and saboteurs, are denied important information. Potential adversaries therefore find it more difficult to attack U. S. forces effectively.

By denying a potential adversary accurate information on our military forces, we complicate his military planning and reduce his chance for a successful attack. The greater the uncertainty an aggressor faces, the greater the risks in a preemptive attack, and the more likely deterrence will be sustained.

The Western policy of deterrence is based on a strategy of flexible response. By reducing a potential adversary's chances of differentiating between nuclear and non-nuclear units, we have greater flexibility in deploying all units and a greater chance of successfully employing them if the need should ever arise.

NCND is thus an essential component of our policy of deterrence.

Remember that this was a "standard form" of the defence, to be trotted out in press kits and so on. There were some minor variations on this theme (and no doubt it was revised continually to take account of changes in circumstance). The U. S. Embassy package, for example, borrowed a statement by John Dorrance that had already appeared in the Australian Quarterly (1985) and as a Department of State Briefing Paper:

[NCND] is fundamental to the security of US Navy ships.[...] The deterrence of aggression by powers possessing nuclear weapons demands a full spectrum of potential responses. The United States of necessity has placed part of its deterrent capability on ships. Identification or restriction of the area of movement and the operations of such ships would increase their vulnerability and limit their usefulness — thus weakening deterrence and increasing an adversary's temptation to resort to force. Ultimately such

restraints have no impact on nuclear armed adversaries — other than to their advantage (USDS n.d.: 2-3).

American diplomats based in New Zealand expanded on this rationale at the height of the ANZUS dispute. Take a 1985 speech, "Defence Co-operation: The American View", by then American ambassador to New Zealand, H. Monroe Browne, substantially reprinted in the Listener. On the subject of the ANZUS treaty, he wrote:

[O]ne element of the successful strategy of deterrence..., has been our policy of neither confirming nor denying the presence of nuclear weapons aboard United States ships and aircraft. *The purpose of that policy is now, and always has been, to deny to our adversaries knowledge that might be useful to them in planning for war.* We shall continue to adhere to that policy. All allies accept our 'neither confirm nor deny' policy.

Now..., your government has said in essence that it recognizes that the US Government will not depart from the 'neither confirm nor deny' policy, but that — given your government's refusal to accept US 'neither confirm nor deny' policies that are respected by both allied and non-aligned states — it will not permit a given ship of the US Navy to visit a New Zealand port unless the United States departs from its own policy, or unless your government can establish to its own satisfaction, and on the basis of its own resources and knowledge, that a given ship is not carrying nuclear weapons.

In effect, your government has said that the very ships which would defend New Zealand in times of war may not enter New Zealand's ports in time of peace.... We want to continue talking in order to permit American ships to return to New Zealand ports under the 'neither confirm nor deny' policy and to restore New Zealand to its rightful place alongside the other Western democracies co-operating with each other to prevent war (Browne 1985: 20-2; abridged and emphasis added).

This text draws on a number of other rhetorical strategies, but the military argument is clearly central. Paul Cleveland, the ambassador who succeeded Browne, reiterated the basic rationale in his farewell address to the Dunedin Branch of the New Zealand Institute of International Affairs on 12 April 1989: "No basic change seems likely in the United States' neither confirm nor deny policy. The policy is firmly supported as essential to nuclear deterrence by leaders in both political parties and by an absolute majority of Americans. It has been carefully constructed and applied world-wide to protect our navy's port access and strategic manoeuvrability, and it has been successful" (1989: 27).

Note the emphasis in all these official statements on manoeuvrability and the need to keep the enemy guessing. In the view of some, NCND implies a "necessary ambiguity" (Thakur 1989; McLean 1990). In effect, the main publicly stated reason for NCND is a pragmatic one, justified by *raison d'état*.

The ambiguity of NCND, however, means that it can serve a number of purposes and simultaneously address a number of audiences. At first glance, the standard NCND statement quoted at the beginning of this section is apparently directed as a reply to questions from the representatives of a host country (political leaders, journalists, etc.). The more elaborate military argument, however, seems to assume that the standard response has an audience of enemy eavesdroppers, relegating the direct addressees to a passive role. This is a stunning double bluff. The apparent target audience of the official statement, at one level, is not that for whom the relevant information is being requested. But, at another level, NCND clearly is intended to address citizens of the host country. In so doing, it has the happy side-effect (for the U. S. Navy) of papering over awkward issues of nuclear acceptability. At the same time that NCND deliberately restricts hard information on ostensibly military grounds, it also conveniently conveys messages of reassurance to civilians (Pugh 1989: 66-67; Wilson 1988: 1-2; White 1990: 38). The practice may be psychologically astute if one can believe opinion poll figures of the early 1980s indicating more Australians accepted port visits by nuclear-armed ships operating under the policy of NCND than under the policy of full disclosure (Mack 1988: 19).

Indeed, some analysts have argued that influencing civilians must be the primary purpose of NCND, because the military rationale does not hold up (Mack 1989). Firstly, an enemy nuclear power is more likely to know which vessels are nuclear-armed than lay citizens of an allied country, or perhaps even the military/political experts of a country like New Zealand. Even if the intent is not to absolutely disguise which vessels are armed but to create uncertainty over precisely which ones, Pugh notes that exactly the same strategic effect could be achieved by the U.S. Navy "openly declaring that even [its] non-nuclear-capable ships are nuclear armed" (1989: 68).

Some commentators have gone so far as to assert that NCND has now simply become a way to fool the civilian populations of both guest and host countries. William Arkin has argued that this has involved a historical change in emphasis: "Although the policy originally was intended to preclude political debate in countries abroad where U. S. weapons are located, it increasingly has become a department of defense tool to undermine U. S. domestic debate" (1985: 4). While this view may accurately reflect the perceptions of an American critic, from a New Zealand perspective the point is academic. (It may also be academic in another sense for Americans; New Zealand journalist David Calder [1985: 17] found almost no people he interviewed quasi-randomly on the streets of San Francisco were aware of the U. S. Navy's policy of NCND!) No statement on foreign policy by the government of a superpower has purely local consequences. Moreover,

diplomatic rhetoric overseas is often oriented towards domestic consumption back home. Most importantly, American diplomats serving in New Zealand have spoken and acted as if New Zealanders and Americans are part of a common society (and certainly as if they have a common culture). In a situation like this, the boundaries between domestic and foreign policy become increasingly blurred.

To summarise, critics of NCND have mainly harped on its pointlessness, given the the increased capacity for military surveillance. But there are other criticisms of the military argument. Robert White has teased out one particular logical contradiction:

If nuclear powers like Britain and the United States respect the anti-nuclear policies of countries like Denmark, it follows that no American or British ships that visit ports of such countries will be carrying nuclear weapons. But *if* the United States respects Danish policy then NCND is breached every time a ship visits Denmark or any other country with a similar policy — because a ship visit signals *de facto* that the ship is *not* carrying nuclear weapons. In other words, if the United States respects the policies of its allies like Denmark, its port visits would give the Soviets precisely the sort of information (i.e. which ships carry nuclear weapons) which NCND ostensibly seeks to conceal (White 1988: 7; emphasis in original).

In short, if nuclear powers respect the stance of countries that ban nuclear weapons, the very fact of sending naval vessels to visit them reveals the absence of those weapons and therefore undermines NCND. However, White's eminently logical demolition of the policy still rests on too narrow a concern with the propriety of international relations (see also 1990: 56-8). In other words, his analysis requires a notion of how governments ought to comport themselves in the conduct of their foreign affairs without recognising that there is always recourse to moral justification on both sides. NCND, like many other conventions, creates a space for governments to act with what they consider to be proper morality; a sense of firmly felt propriety (however deficient the argument on which it is based) is often recruited to support actions of pragmatic intent.

Given that morality and practicality reinforce each other in the discourse of international relations, it is no surprise that opponents of NCND and nuclear ship visits have resorted to pragmatic arguments of their own to undermine the policy. The safety issue has already been mentioned. Other attempts to refute extended deterrence on its own discursive terrain generally start from the special circumstances of New Zealand as a small, isolated South Pacific society. Marilyn Waring has expressed one version of this widely held anti-nuclear credo thus: "New Zealand could not be defended by the use of nuclear weapons; New Zealanders do not wish to see themselves defended by the use of nuclear weapons.

The defence interests of the United States are not served by the presence of nuclear weapons on board its own vessels in a zone of the world quite removed from any perceived or actual 'enemy' threat on the globe" (1985: 115).

This argument reflects the views of most New Zealanders, according to opinion polls, and was taken up by David Lange (1989, 1990), after his conversion to the idea of a nuclear-free foreign policy:

I will never say that the government of New Zealand took its decision to exclude nuclear weapons for moral reasons. In the end we took our decision for practical reasons. We are satisfied that the deployment of nuclear weapons or the threat to use nuclear weapons is not the way to keep the peace in the South Pacific. We believe in fact that there is nothing like their presence which is quite as likely to lead to disturbance (1989: 24).

Pragmatism is inescapable in foreign policy, of course. But in the former Prime Minister's oft-stated preference for practical solutions, as in the U. S. Air Force operations at Harewood, there is an element of disingenuousness. The energy that fuelled New Zealand's anti-nuclear stance was, and always had been, a strongly moral one. It suited Lange to distance himself from that impetus sometimes but he was superbly proficient at using it (or gaining credit for it) when circumstances warranted. His resort to pragmatism in the passage just quoted must therefore be read as a rhetorical strategy.

NCND and Moral Rhetoric

From every angle, NCND is not, and never has been, a question solely of logic or practicality. To interpret it solely in those terms masks important features of the whole controversy. It also hampers an understanding of how such statecraft has managed to survive in the face of criticism (and why it is likely to linger in one form or another, even as its military justification wanes). White pinpoints the link between military and moral rhetorics: "If there is doubt concerning the absence of nuclear weapons during *all* such visits [to countries which ban nuclear weapons], this implies dishonourable behaviour by the visiting navies, a poor basis for an alliance..." (1989: 42).

A cynic might say that there have been more alliances successfully built on tacit conventions than on total honesty. More importantly, the United States Government almost certainly does not believe that it has acted dishonourably over naval visits. The passion expressed in various defences of its position is a clue. This emotion accompanying the "objective" strategic/military justifications is an index of some very strong value judgements and perspectives. It is immaterial, in a way, whether these are sincere or not. In some cases, they may just be resources for bolstering, or diverting attention away from, shaky logic,

but it is unnecessary to attribute such motives to the actors concerned. In diplomacy, as in most walks of life, people draw on all the rhetorical strategies they can muster — and the most convincing rhetoric is that which persuades the speaker as well as the listener.

One strategy, already alluded to, is what I call "the rhetoric of consistency". By virtue of challenging the tacit rules of extended deterrence in 1985, New Zealand laid itself open to an accusation of fickleness. But this was really only a supplement to more substantial arguments and an early expression of the frustration felt by Washington. As the anti-nuclear policy became entrenched in public opinion over time and was adopted by all the major political parties, including National, the stereotype of inconsistency came to rest on shakier ground. Never more than an interim figure of speech, it has tended to fade from sight.

Another implicit "moral" rationale for NCND can also be dealt with briefly: that it serves to protect American lives. An enemy which doesn't know nuclear weapons are aboard which naval vessels has to stretch its resources in first-strike targetting and delivery capacity. It is therefore less likely to exert force to neutralise or eliminate the weapons on individual vessels and American lives along with them. The corollary is that if the U. S. forces were compelled to divulge the presence of such weapons, the lives of American combatants would be placed at greater risk than they already are. They would in effect become sacrificial victims of the pressure to disclose. This argument remains implicit probably because it would backfire if brought into the open: should superpower conflict ever be directed against nuclear-armed vessels in neutral ports, non-combatants would be in as much danger as American servicemen and women. Indeed, it could be argued that greater military security in this context entails heightened civilian risks.

It is not surprising therefore that the rhetoric of "sacrifice", when openly expressed, has taken a more sanitised form. New Zealand's footdragging over the alliance contract has usually been discussed in the quasi-economic terms of "sharing the burden", of "pulling one's weight". Soon after the *Buchanan* incident, New Zealand journalist Richard Griffin quoted the Under-Secretary of State for political affairs, Michael Armacost, to this effect: "We don't anticipate a domino effect, but it's important allies shoulder their responsibilities and we think New Zealand took a walk on this" (Griffin 1985: 18).

That the logic of sacrifice draws on the discourse of economic transaction is no accident. Contracts carry a moral charge as well as an practical one. In rationalist commercial cultures, responsibility is often expressed through economic metaphors. The American administration was asking why the American

public should be expected to shoulder a disproportionate amount of the responsibility for maintaining international stability while New Zealanders enjoyed a free ride under the nuclear umbrella.

The two American ambassadors whose appointments in Wellington straddled the highpoint of ANZUS controversy stressed this point repeatedly. Browne's version, first:

Commentators sometimes emphasise that nothing in the treaty itself obliges New Zealand to admit into its ports ships which might be armed with nuclear weapons or powered by nuclear reactors. The answer to that point, of course, is that grudging fulfilment of minimum obligations is hardly compatible with asking an allied nation to exert itself, or even place its own security at risk, for you. Anzus, traditionally, has involved far more than a bare minimum commitment by its members (1985: 20).

Cleveland repeated the view four years later: "Some New Zealanders have taken the view that it owes nothing more to maintaining security than it has given and that this view is accepted internationally. However, some nations that are sacrificing considerably more, not surprisingly, hold a different view... [O]ther nations contributing substantially to the world's security insurance policy will not accept th[e] view" that New Zealand was being asked too much (1989: 28).

Richard Griffin reported this reaction as widespread in the American corridors of power when he visited Washington soon after the *Buchanan* crisis.

From Capitol Hill to the Pentagon, politicians, government officials and military men talk of a new resolve, a determination that the United States will not be taken advantage of.... There is determination in Washington that allies must be seen to pull their weight.... A former influential member of the Carter administration and now editor of the Washington-based *Foreign Policy* publication, William Maynes... says we are now feeling the effects of a policy that dictates 'Uncle Sam will no longer be treated like Uncle Sucker'. Maynes says the feeling is that the US has been eroded economically by ungrateful allies and now 'it's 100 percent support for Administration policies or tough recriminations will follow' (Griffin 1985: 17-18).

At one stage of the ANZUS dispute, in fact, the rhetoric of sacrifice came perilously close to justifying blackmail. Some members of the U. S. Congress tried to place pressure on New Zealand public opinion by arguing that they could not in all conscience support greater access to the American market for New Zealand products (and thereby threaten American firms, farms and jobs) if U. S. ships were denied the freedom to visit under the rules of NCND. (That this entailed New Zealand sacrificing at least part of its sovereignty seemed to carry little weight.) Congressman Stephen Solarz's statement was representative: "Our constituency accepts a nuclear-armed fleet in New York harbour. Its responsibilities range the

world. New Yorkers don't need that protection directly but accept their responsibilities to world peace.... New Zealand accepts the protection but not the responsibility" (quoted in Griffin 1985: 18).

As mentioned earlier, Ramesh Thakur even extends the criticism to New Zealand's longstanding ambivalence over the peaceful use of nuclear energy. Moral consistency, in his view, requires New Zealand either to accept all the purposes for which nuclear energy has been harnessed, including weapons, or to ban it completely. "If nuclear energy is unacceptable because of certain dangers that can never be guarded against with full certainty, then to permit its application within restricted categories is to insist that other countries take all the risks of development while New Zealand selectively reaps the rewards. A free rider is defensible on the political grounds of a selfish pursuit of national interests; it is indefensible morally" (Thakur 1989: 920-1). Having made this rather bizarre accusation, Thakur then contradicts himself by criticising the Labour Government for incurring the extra costs of opting out of ANZUS. This burden on taxpayers comes from increased defence spending necessitated by the loss of American intelligence data, weapons systems and training opportunities. Apparently, it was fine for New Zealand to ride for free in those vehicles before the breakdown in its alliance relations.

Accusations of free-riding are reinforced by two other strategies, which I am labelling the rhetorics of "courtesy" and "community". The first, which has powerful cross-cultural appeal, stems from the strongly felt obligation to meet a guest's or friend's requests. Thus NCND, like other alliance conventions, can serve as a litmus test of "trust" between governments (though usually in a highly skewed fashion, in which the trust is demanded of client states by superpowers, rather than the other way around). In August 1987, Jim Bolger, then Leader of the Opposition, provided a superb example in a statement which I have transcribed from a election campaign television advertisement: "We will trust them [the United States] to comply [with the anti-nuclear legislation]. If that is unacceptable to the Labour Party, then I feel sorry for them. How else could you feel for a party that would trust our enemies not to harm us, rather than trust our friends not to abuse our hospitality?"

The second theme ("the rhetoric of community") portrays New Zealand as a (slightly errant) member of the "Western" family of democratic nations. Soon after the *Buchanan* refusal, on 6 February 1985, Secretary of State George Shultz deftly combined the logics of sacrifice and community: "We have great affection for the people of New Zealand but also remind them that those who value freedom have to be willing and prepared to defend it" (quoted in Alves 1985: 3).

This argument finds sympathy with many older New Zealanders, whose perceptions of international relations were shaped by their experience or memories of World War Two. Much of their commemorative military discourse contains images of "the supreme sacrifice", that is, the giving of one's life for one's country or a noble cause. Shared sacrifices in war are often cited as a source of shared values and a powerful historical bond.

Speaking directly to New Zealanders, Ambassador Paul Cleveland tried to trade on this solidarity by appealing to "...our shared inheritance of cultural values and political ideals, our longstanding trust, friendship and co-operation.... As I like to think of my own country, New Zealanders are fair-minded. [I]s the effective prohibition of nuclear capable ships or full partnership in the Western community more important to you?" (1989: 27-28).

But "community" is a rhetorical resource that, like all the others, can be used by both sides to a dispute. This was illustrated by the Labour Government's Minister of Foreign Affairs, Russell Marshall in 1989. In May of that year he tried to turn the appeal to "community" against the new Bush administration which had continued the post-1985 policy of refusing New Zealand high-level political and diplomatic access. The opportunity to reverse the argument arose from the Pentagon's willingness to talk to the National Party's speaker on foreign affairs but not to the Minister. Marshall quickly accused the United States of

failing 'to behave in a civilised way' with its refusal to hold top-level talks with New Zealand. 'We would not treat people like that,' he told Parliament as the Government mounted a renewed attack on the National Party's stance on nuclear ship visits. Mr Marshall also revealed that he delivered a rebuke to the departing United States Ambassador, Mr Paul Cleveland, when they met last week. Mr Cleveland, who left on Friday, had been told that the meeting between the Deputy Leader of the Opposition, Mr McKinnon, and the Secretary of Defence, Mr Cheney, was 'not acceptable behaviour' when ministers from the elected Government were denied similar access. 'Governments do not normally behave like that,' Mr Marshall said.[...] 'There is only one capital in the world where there are people of similar heritage to our own where we are denied access to senior politicians' (Armstrong 1989; paraphrasing edited).

Ultimately, references by both sides to their "similar heritage" or "shared inheritance of cultural values and political ideals" reveal a paradox at the heart of the ANZUS dispute over NCND. After the logical and pragmatic arguments against the New Zealand Government's exclusion of nuclear weapons had been exhausted, the appeal came down to a presumed emotional bond based on qualities collectively held by the "free world". What, then, are those values and ideals? The short answer is the democracy and openness that NCND proceeds to violate. In Pugh's words, "A major issue at stake in inter-allied relations is the extent to

which the United States places a greater value on nuclearism than the political goals which nuclear deterrence is said to safeguard.... The issue of nuclear visiting lays bare the very principles of morality, democracy and the exercise of autonomy which are said to govern a Western Alliance...." (1989: 190).

The Secret History and the Tacit Culture of NCND

Recall that apologists for NCND, such as Alves, have described it as a consistent policy, cemented by years of accommodation and mutual understanding. Indeed, the 1985 speech by Ambassador Browne quoted earlier even insisted that it was "traditional". But it is not as historically unproblematic as this sort of statement implies. Rhetoric not only uses history as an archive of presumptively shared meanings; it also has its own historical roots.

How, then, did the policy arise? Appropriately enough, the standard general sources (histories of international relations and foreign policy) are silent on the issue. Indeed one has to search hard to find any references at all and, with few exceptions, the available literature mentions it only in passing. One commentator, William Arkin, simply states that the policy "originated with the overseas deployment of nuclear weapons in the 1950s" (1985: 4). When I put this to the U. S. Embassy in Wellington in 1989, the Deputy Chief of Mission, Alphonse La Porta, simply concurred and added no further detail (La Porta 1989).

Michael Pugh, in the only detailed historical account I have come across, has unearthed some clues by inspecting U. S. government documents and interviewing military officers. According to Pugh, NCND "originated in domestic security requirements, with a legal basis in the 1954 Atomic Energy Act as amended in 1958.... NCND is ultimately governed...by Presidential authority, though the President is obviously guided by advice from the D[e]partment o[f] D[e]fense and National Security Council. At the time of the ANZUS crisis NCND was sustained by Executive Order 12356 on National Security Information, which superseded several orders dating back to Eisenhower" (Pugh 1989: 65).

While the specific features of NCND may have taken shape in the mid-1950s, there are grounds for suspecting that the general policy of non-disclosure grew out of the context of relations between the United States and Japan during the Korean War or just afterwards. Pugh's informants, while confirming this, also referred to "concerns expressed in Europe in 1958-64 when new missiles were being deployed" (1989: 66). The Korean conflict of 1950-53, however, was the first big shooting war that the U. S. had engaged in since 1945. The war undoubtedly involved decisions to transport and deploy nuclear weapons. Japan, of course, was an ally and a major operational base for the U. S. during that

conflict; but it was also the first (and is still the only) country to have suffered from nuclear attack.

Despite the extraordinary success of American administrations in establishing good working relations with the post-war Japanese leadership, there was acute sensitivity in the host nation over issues of nuclear warfare and weaponry. This led eventually to the enunciation of "three non-nuclear principles" by Prime Minister Sato in 1966, which stated that there was to be no possession, no storage and no introduction of nuclear weapons on Japanese territory. There is a strong presumption, however, that the latter two activities had been routine practice during the two previous decades — and that they continued after the statement of the principles (White 1989: 6; 32-33; Tow 1991: 362-4).

The recognition of Japanese qualms and their potential for upsetting NCND has contributed to the forms of American rhetoric on this issue. Included in the series of standard questions and answers in the information package provided by the U. S. Embassy in 1989 was the following:

"Q: Don't Japan's three non-nuclear principles require that the U. S. not send ships carrying nuclear weapons to Japan? Why can't the U. S. adopt a similar policy towards New Zealand?

"A: The U. S. makes no statement about Japan's three non-nuclear principles."

This unwillingness even to comment, of course, mirrors the policy itself.

* * * * *

Overlying the specifics of American military doctrine and Asian-Pacific diplomacy is a cultural grid. Since the United States is not the only nation to apply NCND, and since it must have some logical appeal to the nations which are visited or transited by U. S. military vehicles, clearly the grid is not peculiar to American discourse. But there are features of American politics and society that give particular force to the way in which the policy has been implemented.

The factor which, I suggest, has given a peculiar rhetorical twist to NCND as an instrument of American foreign policy is the U. S. Constitution. This may seem a rather abstract place to start — but in fact the Constitution is a living document for many American citizens and it undoubtedly guides government policy. Or, rather, it serves as fertile discursive resource for diverse groups and constituencies in American society.

The "Bill of Rights" (i.e., the first ten amendments taken collectively) contains two articles of particular relevance here.

Article II. A well regulated militia, being necessary to the security of a free State, the right of the people to keep and bear arms, shall not be infringed. Note that the interpretation of this article has sometimes been extended to the right to bear concealed weapons.

Article V. No person shall [inter alia] be compelled in any criminal case to be witness against himself. This article has become famous under the label of "pleading the Fifth". It is not unique to the American constitution, since the right to remain silent in the face of accusations originated in English Common Law and has diffused widely throughout the world. Nowhere else, however, has it become as sacred and stoutly defended a right as in the United States (Heydon 1971: 216; Menlowe 1988: 286).

I am arguing in effect that the use of NCND is an instance of "pleading the Fifth" in external relations that also draws on the strongly felt constitutional right to bear arms. The latter is a perennial political rallying call; and the right not to incriminate oneself is regularly invoked in domestic American politics, as well. Take the September 1988 condemnation of then Speaker of the House of Representatives, Jim Wright, for claiming the C. I. A. was behind attempts to provoke a Sandinista government crackdown on opposition in Nicaragua. President Reagan and other members of his administration said that they could neither confirm nor deny the claims and impugned Wright's integrity for divulging the contents of confidential briefings.

The right to remain silent is important, especially for ordinary citizens faced with the full apparatus of the legal system, but it always achieves its purpose at a cost: the inference that the accused party may be concealing guilt by means of this provision. The constitutional justification for NCND therefore poses an important question. Can legal provisions designed to protect ordinary people from the arbitrary power of the state legitimately be applied to the relations between states, especially when the government invoking the rights is by far and away more powerful than either its foreign allies or its own citizens? It does not take an especially astute reader to recognise that my question is rhetorical.

The Secretive Future of NCND

Rumours regularly surfaced during the last two or three years of the Bush administration in Washington that it might dispense with the NCND policy, as Reagan hardliners left or were removed from office (Oram 1990). Similar stories have emerged from the Clinton White House. Certainly, the objective conditions that led to NCND — the perceived need to maintain nuclear weapons constantly on at least a proportion of the U. S. Navy's farflung fleet and to deny this information to non-service personnel (White 1990: 37) — may have waned. But my feeling is

that the discourse expounding this change has been selectively applied and that the tactic itself will remain in reserve if required. Moreover, a policy based on morality, particularly an ambiguous morality, is difficult to abandon completely. To do so is to admit that one was morally wrong, thereby undermining claims to the consistency on which issues of trust depend.

Far from the rumours serving to vindicate the New Zealand stance, pressure went on the National Government in New Zealand soon after its election in 1990 to rethink the anti-nuclear legislation it had inherited from Labour — a move which all the public opinion polls indicate would be electoral suicide. That danger may be why the issue has receded as the 1993 election draws near. Indeed, National adopted the anti-nuclear policy of all the other major parties before the 1990 election, in order to deprive Labour of its one remaining claim to popularity. One member of the current Cabinet, Disarmament Minister Doug Graham, has speculated that NCND is on its way out. "'The United States may insist on it, but I think it's on its last legs...its last decade, anyway,' he said", according to one report (Munro 1991a: 2). The optimism he expressed was more likely based on relief at the removal of an embarrassment, rather than on hard information.

But the messages from Washington have been confused, showing the complexity of the struggle to define foreign policy in a post-Cold War era. "'We're in a kind of never-neverland position on the NCND policy', [a] Pentagon spokesman...told a news briefing" (Munro 1991b: 2). President Bush's announced decision on 27 September 1991 to remove all tactical nuclear weapons from surface ships and attack submarines was the focus for this debate (Arkin and Norris 1992). The Defense Department declared that as soon as the order had been carried out the NCND policy would be dropped for those sorts of vessels (Sands 1991).

In October of that year, however, the rumours of NCND's demise were denied by the American Undersecretary of Defense, Paul Wolfowitz. He said that President Bush's initiative

did not mean the neither-confirm-nor-deny policy on nuclear weapons had been abandoned. He also said the United States still had a 'big problem' with New Zealand's 'unwanted legislation'. That problem had to be solved 'if we're to get back to the relationship we'd like to have with New Zealand'. But...the Pentagon said the 'neither-confirm-nor-deny' policy would be officially dropped only when all nuclear weapons had been removed from all ships currently carrying them.[...] Mr Wolfowitz indicated the neither-confirm-nor-deny policy would have to remain at least until the nuclear weapons were removed from warships — and there was the question of what happened if such weapons were redeployed during some future crisis (Armstrong 1991: 1; paragraphing edited).

At about the same time, another American official, Richard Solomon, "argued that nuclear proliferation and future potential flashpoints require[d] the US to stockpile tactical nuclear weapons and, therefore, cling to NCND". The report quotes him as saying that "the president has reserved the right in emergency situations to consider other actions that could include redeployment" (Sands 1991: 21). Later it was confirmed (Radio New Zealand, Morning Report, 11 November 1991) that, under the new policy, American ships would still be authorised to carry nuclear weapons in times of crisis. The catch was that Washington would define what was or was not a "crisis" (Collins 1991).

An American foreign policy expert, Michael Mandelbaum, has argued that U. S. Navy strategists remain the biggest stumbling block to a political decision to cancel NCND, because they are unwilling to bring the full armoury of surface-borne nuclear missiles to the bargaining table in disarmament negotiations (Wong 1991). Deterrence may no longer seem so necessary in the face of the Soviet Union's collapse, but the perceived need to maintain an extended reach is still paramount. Moreover, while at least one naval theorist has argued for an end to NCND because of the harm it had done in promoting "greater Soviet influence" by sullyng America's image (Kerr 1990), the breakup of the USSR has lessened the need to win that particular rhetorical struggle.

On the other hand, victory in the Cold War means that NCND increasingly looks like a policy designed to manage domestic public opinion. The resulting double bind experienced by some members of the American military establishment is illustrated by incidents like the following. When two Soviet warships visited Norfolk, Virginia, in July 1989, the Soviet government felt able to assure Greenpeace representatives that the ships did not carry nuclear arms. (Of course, they may have been lying....) The irony is that it was the U. S. Navy which refused to confirm those assurances. In the words of its spokesman, who cited the NCND formula, the United States "does not discuss or inquire about weapons carried on foreign warships visiting US ports" (Arkin 1990: 14). Such post-Cold War expressions of apparent equability are unconvincing and legalistic, because we can be sure that the U. S. Navy has always been interested in such information.

The contradictions referred to so far have not been resolved by the redeployment of tactical nuclear weapons to land storage sites. On 24 February 1992, a news story on Radio New Zealand's Morning Report programme quoted U.S. military sources to the effect that removal of such short-range weapons from naval vessels was proceeding faster than expected and had almost reached its goal. However, the policy of NCND made it impossible for the spokesman to say how many weapons remained aboard vessels. Since then, admittedly, analysts judge

that the removal programme has been completed. About 500 weapons (mainly bombs and cruise missile warheads) were removed from aircraft carriers, surface ships and attack submarines up to June 1992 and stored at onshore sites. But that still left about 450 land-attack strike bombs for deployment on carriers and 350 cruise missiles for deployment on other craft, all of which would apparently be stored at shore depots (Arkin and Norris 1992: 4, 7). It will be interesting to see whether NCND may come to apply to storage on land in the future as much as it has to carriage by ships in the past.

In line with these changes in the disposition of American nuclear weapons, the standard form of the NCND statement has also evolved. The new statement itself is about as clearcut as an expression of deliberate non-disclosure could be. The text reads as follows:

It is general US policy not to deploy nuclear weapons aboard surface ships, attack submarines and naval aircraft. However, we do not discuss the presence or absence of nuclear weapons aboard specific ships, submarines or aircraft (Pacific Research 1992: 13; Defense Department 1992: 18).

There are two points of interest: the rewording itself and the context in which it was supplied. The replacement of the term "consistent" by the new qualifier "general" (and the restriction of NCND as such to "specific" instances) confirms that the carriage of nuclear weapons has now become a matter for tactical and situational decisionmaking. Interested onlookers should now weigh up the likelihood of such weapons being present on board in relation to regional and global states of tension rather than by simply assessing it in relation to the kind of vehicle, as before. Yet the refusal to confirm "specific" vehicles as carrying or not carrying the weapons means that the logical basis of NCND remains intact, despite having been narrowed.

As for context, the spokesman who announced the revised form, the Pentagon's Pete Williams, eloquently conveyed the very real contradictions that the rewording attempts to conceal. From the press conference transcript:

Q: Will the Navy be able to say now on each individual ship that there are no nuclear weapons on each ship, therefore, your neither confirm nor deny policy has been radically changed?

WILLIAMS: No — yes and no. Yes, it's been changed. But no — I'll tell you what we have — have been in a long interagency review, and a review with our allies as well, on what we should do in connection with the neither confirm nor deny statement. We have affirmed that it should remain in effect for all of our forces, both sea based and land based. But because of the changes in our deployment policy, though we're — the result of the President's September nuclear initiative, it's been modified (Defense Department 1992: 18).

Williams then read out the new form of the statement as given above. When questioned further about whether host countries could inquire about the presence of nuclear weapons on board specific ships, he replied: "Well we have, as you know, individual treaties with various countries that cover that subject. So that's something that we work out diplomatically with various nations. But the answer we will give is the neither confirm nor deny statement" (Ibid.). That, like Williams' answer, is no real answer at all. NCND remains in place for the specific occasions when it always previously invoked. One also wonders whether ANZUS counts as an example in Pentagon rhetoric of "treaties that cover that subject" and whether the post-1985 chill between the United States and New Zealand counts as "something that we work out diplomatically".

The stalemate has continued so far under the Clinton presidency. At least one commentator, Dr Thomas McNaugher of the Brookings Institution, has argued that this may change:

...the NCND issue...continues to hamper any sort of thaw in the relationship of the United States to New Zealand. My own sense is that I'm not sure in my own mind why we continue to harp on that. I think the Navy is quite willing to drop it, or at least a substantial number of people are. And I think it's just a matter of time until we work that through, and probably that time will come sometime during the Clinton administration unless he's flat out opposed to it, and I don't think he will be. So I think there's a consensus brewing and that will arise during his term. So I think we'll see something happen (United States Information Agency 1992: 21).

Yet President Clinton's appointee as assistant secretary of state for the Bureau of East Asian and Pacific affairs, Winston Lord, has denied this prospect vigorously. At his confirmation hearings before the Senate Foreign Relations Committee on 31 March 1993, he asserted that changes to New Zealand's legislation were needed for the relationship with the United States to improve. He went on to say that "the absolute imperative of our global policy of neither confirm nor deny remains important even today, unless there's movement by New Zealand on that question, I don't see how we can do that [improve relations]".

The exchange with Senator Charles Robb that followed softened the stance by recourse to shared values, trust and responsibility:

ROBB: I have discussed this neither confirm nor deny at some length with representatives of their government and others. Is there a chance for some sort of policy review given the other areas where we do cooperate effectively and where our interests are so obviously in sync?

LORD: Well, certainly we will review our policy, and I would hope that New Zealand would do likewise. So, they're good people. It's a friendly country in every other respect. It's too bad that their policy

— which we think is unnecessary, of course — is holding us up. So I would hope we could overcome that in the following years, but it is going to take some steps on the New Zealand side (United States Information Agency 1993: 26-27).

In short, the United States Government, after eight years of the ANZUS dispute, the election of a Democratic administration and the demise of its most powerful strategic competitor, still portrays itself as the aggrieved party. This stance does not bode well for any significant change to NCND. Pugh argued even before the recent upheavals that the "greatest challenge in moving to an open policy...is not to devise a formula but to consider distinctions between support for collective security and particular deployments, between alliance loyalty and nuclear visiting. This, at present, the nuclear allies are not prepared to do and they have fixed nuclear visiting as the point beyond which deviance cannot be tolerated" (1989: 186). That position remains the bedrock of policy, if Lord's statements represent the official line.

Even if the NCND formula were to be changed again or abandoned completely, it is difficult to see how the "necessary ambiguity" of nuclear discourse could cope with such a move. The words "neither confirm nor deny" could go yet something like the policy remain. Time will tell — or will it? Whatever decision the Pentagon takes in respect of NCND may be so hedged around with similar qualifications as to make it impossible to discern. If and when it is abolished, we may never know.

Conclusion

We've had one major difference with New Zealand. They know what it is, we know what it is (George Bush, Presidential press conference, 2 March 1991).

In May 1991, New Zealand Foreign Minister Don McKinnon travelled to the U. S. A. to discuss relations with the State Department. He did not see Secretary James Baker (who was on a Middle Eastern peace tour) but did talk with Laurence Eagleburger, Deputy Secretary of State. The 14 May evening bulletin on TVNZ's One Network News quoted the participants as agreeing that there were still "no go areas" in the diplomatic relationship. Interviewed later on television, McKinnon said that these were "purely defence issues". He quoted Eagleburger from memory as stating, "I understand the problem you've got in this area". This remark was a coded reference to the difficulties National faced in repealing the anti-nuclear legislation. The Government's problem was reinforced that same evening by a TVNZ/NRB poll indicating an increased majority in favour of the legislation and willing to sever ties with the U. S. A. if necessary to keep the policy.

All these hesitations of language, these "no go areas" of speech, have a pragmatic effect. They are not so much an expression of hypocrisy or embarrassment as the necessary concomitant of American policy. Quite literally, this is the language game of NCND. The officials who practise it do so in part to sway others to enter the same game. Japan accepts that oblique language (see Lange 1990: 69). For five years, a New Zealand Labour government did not, even though the rejection was nuanced and not totally consistent. Since the electoral defeat of that government in late 1990, the legislation challenging NCND has remained in place, because National Party politicians are aware of its enormous popularity. Yet the signals from Wellington have changed. For the National government to talk about "problems that we all know about" and "no go areas" is already to return to the old game. That the old rules still have their proponents is testimony to their endurance in the face of a new world order.

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