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Towards

a Nuclar Free World

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TOWARDS A NUCLEAR WEAPON-FREE WORLD

There seems to be a new momentum for nuclear disarmament. This impression is mainly the result of the initiative of the Obama administration. While recognizing the significance of this initiative, questions are raised about its credibility. Will the nuclear powers led by the United States take credible steps towards nuclear disarmament?

Nuclear issues are usually dealt with as if they were entirely within the domain of the governments and nuclear disarmament a matter of interstate relations. A perspective of the people for whom nuclear disarmament is a matter of life and death has to be brought into the discourse.

The UN Security Council on 25th September 2009, at a Summit chaired by US President Barack Obama, unanimously approved a resolution which envisaged a world without nuclear weapons. "I called this Summit so that we may address at the highest level a fundamental threat to the security of all people and all nations – the spread and use of nuclear weapons," the President said. He added that the next year would be "absolutely

Every 5th year the UN summons the world's leader to review the progress in the work to get rid of nuclear weapons. In May 2010 New York is the site for this review.

critical" in determining whether efforts to stop the spread and use of nuclear weapons were successful. The Security Council resolution called for "further efforts in the sphere of nuclear disarmament" to achieve "a world without nuclear weapons" and urged all countries that have not signed the Non-Proliferation Treaty (NPT) to do so.

The Crisis of the NPT

Critics of the resolution pointed out that it failed to include mandatory provisions that would have required nuclear weapon states to take concrete disarmament steps. It was clear that the resolution was passed with a view to strengthening the non-proliferation regime by the time of next year's review of the NPT.

The UNSC resolution called upon State parties to the NPT to comply fully with their obligations and fulfil their commitment to the Treaty. It further called upon "all States that are not parties to the Treaty to accede to the Treaty as non-nuclear weapon States so as to achieve its universality at an early date and pending the access to adhere to its terms". The curious fact is that those States which have not signed the Treaty are all nuclear weapon states – Israel, India, Pakistan and North Korea. The Security

Council wants these nuclear weapon states to sign the NPT as non-nuclear weapon States!

As part of his non-proliferation evangelism, Obama seems to be keen to overcome the crisis of the NPT by bringing all countries under the Treaty and thus universalizing it. The statement that the NPT is again in crisis begs the question, what really is in crisis: the non-proliferation regime or the NPT? Those close to the negotiations in Geneva about the forthcoming Review Conference suggest that it is the regime that is in trouble and not the NPT, while others disagree.

The crisis in the NPT has been precipitated largely by the refusal of the nuclearweapon states to fulfil their Treaty obligations under Article VI for disarmament and their preoccupation with horizontal proliferation virtually giving a licence for vertical proliferation for some four decades.

In 2000 NPT Review Conference, recognizing the trends against proliferation, produced in its final document an agreement by the existing nuclear weapon states on "an unequivocal undertaking to accomplish the total elimination of their nuclear weapons". In particular, the final document included commitment by the NPT's five nuclear weapon states on thirteen practical measures to fulfil their obligations under NPT's Article VI, to pursue nuclear disarmament.

When the Bush administration came to power the USA walked exactly in the opposite direction and the other nuclear weapon states remained where they were – not fulfilling their Treaty obligations. No wonder the NPT is in crisis again.

The myth of credible deterrence

There is definitely a compelling urgency for nuclear disarmament. Unless credible steps are taken now, the world would descend into a maze of nuclear dangers – a world where the current nuclear weapons states would add more and more qualitatively new weapons to their arsenal while trying to mislead the public with figures about quantity, where far more numbers of states would possess nuclear weapons; where the possibility of non-state actors acquiring nuclear material or weapons for terrorism with or without state complicity would have multiplied, where inter-state relations would be mired in mutual mistrust and where it would be proved that deterrence would become a real threat to peace.

In addition to proliferation to more states, nuclear weapons continuously increased in number and sophistication. Qualitative advancement included development of extremely powerful hydrogen bombs; a diverse array of tactical weapons and the advent of intercontinental ballistic missiles capable of delivering nuclear warheads accurately across the planet in minutes.

With proliferation to more states world security became increasingly interwoven with nuclear deterrence doctrines premising use of these weapons leaving the fates of tens of millions of people perched on the unstable "balance of terror".

After the end of the Cold War, on November 16, 1993 Britain's Defence Minister Malcom Rifkind in a speech made at the Defence Study Centre of London's King College, London, dealt with the issue of the continuing role of nuclear weapons in the defence of the country. What was significant about the speech was that most times he referred to deterrence, he spoke of 'deterrent threat'. The problem Rifkind raised was this: what was the guarantee that deterrent would be considered just a threat? "Would the threat be understood in the deterrent way in which it was intended and might it have some unpredictable and counterproductive consequences? Categorical answers to these questions might be hard to come, and in their absence the utility of the deterrent threat as a basis for policy and action would necessarily be in doubt", Rifkind said.

To speak of credible deterrence is a contradiction in terms. In fact the basic problem in all nuclear deterrence is the inherent lack of credibility. This is due to the fact that the reprisals envisaged are, by definition, wholly disproportionate in their effects and militarily pointless. While one can hope to deter hostile actions by threatening to massacre millions of innocent people it makes no sense whatever, when the time has come to carry out the threat, not even if it can be done with impunity.

Anders Boserup, Danish specialist on European Defence Strategy writes:

Brinkmanship, meaning the deliberate creation of credible avenues of escalation in crisis and in war, is the sine qua non of deterrence. If brinkmanship is too timid there is no credibility, hence no deterrence. If it is too vigorous there is war. Deterrence must be dangerous, genuinely dangerous, if it is to be.

It follows there can be no such thing as a 'stable', 'pure' or 'minimal' deterrent. Either it would not deter or it would not remain stable, pure, minimal for long. In fact stability in itself is a self-contradictory notion.

Boserup proposes to "confine the term 'deterrence' to its proper meaning.

It has the same Latin root as 'terror' and should denote a policy of dissuasion based on threatening reprisals which should outweigh any conceivable benefits from attack. 'Defence' on the other hand, is a policy of dissuasion based on counter-posing such force that an attack would be certain to fail.

He says that the two modes of dissuasion are incompatible in practice. The warning he gives is salutary in view of the repeated claims by many governments that their nuclear weapons are for defence.

It is essential to keep them apart and to distinguish not only the concepts but the things they denote, for these two modes of dissuasion are incompatible in practice. If they are combined into one doctrine (as has happened for Europe) a frightful military mess arises, cumulating the worst aspects of both: insatiable and mutually stimulating demands for arms, with sabre-rattling and deliberate escalation -promoting posture.

He points out that the deployment of 'theatre nuclear forces" in Europe in the eighties resulted from this.

Credibility apart, at least the reason for possession of nuclear weapons is clear. It has nothing to do with defence. It cannot defend the country from a nuclear attack. All what it can do is "punitive retaliation", "destruction and punishment the aggressor will find unacceptable" whatever that means.

The New Nuclear Posture of the USA

The nuclear weapon states squandered the opportunities offered by the end of the Cold War for progress towards genuine nuclear disarmament. The United States, the world's principal global nuclear power, continued to support regional alliances with extended nuclear defence guarantees. Despite the collapse of the Soviet security threat and the negotiated and unilateral nuclear arms reduction that followed, the US largely retained (and in many ways expanded) reliance upon nuclear deterrence policies as a central pillar of its defence posture. US nuclear weapon planners, retaining unquestioned faith in the efficacy of nuclear deterrence, worked narrowly to apply Cold War form of strategizing to the post-Cold War circumstances they faced. These planners say the end of the Soviet strategic nuclear threats to use nuclear weapons across a range of lower-level conflict scenario. Most dangerously, US nuclear war planners have gone beyond efforts to bolster the credibility of extended deterrence by embarking upon a potential US 'first use' of its nuclear forces. Consequently by the mid-90s extended nuclear deterrence and lower level nuclear weapons use options became increasingly critical to the US military's nuclear war planning, long before the Bush administration brought these views to the forefront of US security strategy and policy.

The classified *Nuclear Posture Review of the US*, details of which appeared in the media in the second week of March 2002 revealing Pentagon's ambitious nuclear battle plans, redefines the role of nuclear weapons as fundamental to US defence policy, places new emphasis on the utility of nuclear weapons in US military doctrines and strategy and changes the very concept of deterrence. For the first time, the US is sending strong signals that it is contemplating new uses of nuclear weapons. 'First use' and 'first strike' are writ large on the nuclear agenda of the US.

. The document *National Security Strategy of the USA* was presented to the Congress on September 22, 2002. The document argues that while the US will seek allies in the battle against terrorism, "We will not hesitate to act alone, if necessary, to exercise our right of self-defence by acting preemptively". This is the most innovative part of the new strategy. It adopts the doctrine of preemptive action which means preventive war even using nuclear weapons.

As Sir Joseph Rotblat commented, "According to the current counter-proliferation policy, nuclear weapons are bad, but only in the possession of some states or groups. In the presence of the USA they are good and must be kept for the sake of world security."

As the US reinforced rather than relaxed its policy reliance on nuclear deterrence, it encouraged other key states to adopt similar attitudes towards nuclear and non-conventional nuclear weapon capabilities. Throughout the world other states came increasingly to realize the coercive value of threats to obtain and use nuclear, biological, chemical and radiological weapons.

North Korea and the Second Nuclear Age

North Korea for one has clearly taken this point. North Korea's ambition to develop nuclear weapons is substantially a response to decades of being subject to US nuclear threats.

An interesting question to pose is whether a nuclear war is more likely or less likely today in the Korean peninsula than in the eighties. US Army Chief General Edward Meyer said in 1980 while visiting Seoul, escalation to nuclear war is "far simpler here than in Europe where consultations have to be made with fifteen different sovereign countries." It was presumed that the Soviets were less likely to intervene in a Korean war was than in one in Europe. A second crucial contrast was that unlike in Europe, the adversary in North Korea was not nuclear-armed. Peter Hayes has pointed out that by the 1980s North Korea had been subjected to a nuclear threat for a longer period and with greater intensity than any other non-nuclear state.

North Korean regime's determination to rely on nuclear threats to ensure its security not only dismays and worries all of its neighbours but also helps perpetuate reliance on nuclear threats throughout Northeast Asia. This linkage indicates the need to address Pyongyang's security concerns within a broader regional security framework as a prerequisite to reducing the task of nuclear weapons in East Asia – a peaceful non-proliferation outcome on the Korean peninsula is possible only through a negotiated settlement involving all the principal countries of the region.

The phrase *second nuclear age* refers to the nuclear weapon states of the post-Cold War period. It is defined by the spread of nuclear weapons to countries for reasons other than Soviet-American Cold War rivalry which was the defining aspect of the *first nuclear age*. The first nuclear age began in Hiroshima, Asia. Whenever thinkers and leaders came to realize that Israeli, Indian, Pakistan, Iranian and North Korean nuclear weapons or programmes had fundamentally altered world politics, the second nuclear age began. While it is hard to date the beginning of the second nuclear age, its formal inauguration was made by India in 1998 May. Within days Pakistan staked its claim.

The nuclear age of the Cold War marked by a competition between two superpowers was replaced by a nuclear age which "seemed to emerge out of a hodge-podge of unrelated regional issues." Other characteristics of the second nuclear age: an era less Eurocentric in nature, more nationalistic, in fact reflecting "national insecurities that are not comprehensible to outsiders whose security is not endangered" with very intense nationalism being involved. What is alarming is that the newer nuclear states are dealing with enemies close at hand – seconds rather than minutes away by missiles – in conflicts that could unfold quickly, in contrast to the nuclear actors on the Cold War stage.

With regard to the new actors on the nuclear stage, the U.S. policy seems to be that "those who are with us" (India, Pakistan, Israel) can have nuclear weapons but "those who are against us (Iran, North Korea) cannot have them. While the Security Council Summit chaired by President Obama asked non-signatories of NPT (which include India) to accede to the Treaty as NNWS, in the reception given to the Indian Prime Minister Manmohan Singh in Washington on 24th November, Obama described US and India as nuclear powers. Obama will have to go a long way before his non-proliferation agenda can have any credibility.

Smithu Kothari and Zia Mian in the book "Out of the Nuclear Shadow", draw the lessons from the nuclear arms race of the Cold War period:

The first of these is that **terror does not last.** People get used to it and new and greater sources of terror are devised. This is clear from the arsenals of all five of the established nuclear weapon states who claim like India and Pakistan to deter enemies with nuclear weapons ... And as bomb begets bomb, missiles spawn offspring with longer ranges and greater accuracy adding lethality with every generation.

The second lesson is that **arms racing is destructive** even if there is no war because of the cold and calculated planning and costly preparations for such war that underlie the declared strategy on both sides of nuclear deterrence.

The third and final lesson is that nuclear weapons and the system that creates them and gives them purpose, take on a life of their own. Throughout the cold war, the US and soviet Union claimed that their nuclear weapons were part of what was required to confront an implacable and unremitting ideological enemy. The cold war ended more than a decade ago and yet there remains tens of thousands of nuclear weapons. In the same way, while it is vital to find a just resolution to the disputes that afflict India-Pakistan relations, especially that of Kashmir, unless nuclear disarmament is frontally addressed, the weapons will not go away. As long as they remain the danger that they will be used exists.

What is nuclear disarmament?

The renewed or re-discovered debate on nuclear weapons-free world started in 2007 with no consensus on its desirability or feasibility. The question uppermost in everyone's mind is whether the world might be at the cusp of change: at the threshold of another nuclear era? the dawn of a world without nuclear weapons? Are the NWS ready to undertake a genuine reconsideration of the need and efficacy of nuclear weapons? Or is the revival of interest in nuclear disarmament motivated by vested sort-term interest aimed at new forms of arms control and non-proliferation? Are they driven by a desire to keep the NPT intact during and after the forthcoming review conference in 2010? Is the carrot of disarmament being held out before the NNWS in order to impose new forms of technology denials? Will the momentum fizzle out once the RevCon has concluded? Are we witnessing another "game of disarmament" to use the famous phrase of Alva Myrdal?

The road to discover the route to nuclear disarmament must begin with clarity on the end state being sought to be achieved. As of now, the very term nuclear disarmament is subject to many interpretations based on security perceptions of the state. Most NWS are unable to envision a state with 'no' nuclear weapons and tend to be satisfied with situation with a considerably reduced number of weapons. Thus the definition of nuclear disarmament for most official policy makers does not visualize a world completely free of nuclear weapons. Rather it confuses disarmament with non-proliferation and remains satisfied with reduction in nuclear arsenals and measures such as CTBT and FMCT. Such a perception, in effect, reduces the commitment in Article VI of the NPT to nothing more than these two non-proliferation measures.

It is precisely at this point that the voice of the people has to be listened to. What people mean by nuclear disarmament is the total elimination of all nuclear weapons.

Common sense dictates that without a credible prospect of disarmament, proliferation would be inevitable since nuclear weapons will set in motion a cycle of threat perceptions that can only lead to more acquiring the same capability. Given that nuclear weapons cannot be deterred by any other military means, every nation confronted

with the threat of nuclear use or blackmail is compelled to acquire the same. The vicious cycle can only be broken when none has nuclear weapons and such a state is mandated through an international treaty and maintained through a verification mechanism based on a well laid out punitive regime.

Credible Steps: Security Assurances to all NNWS

If the new push for nuclear disarmament is to be credible urgent and immediate action needs to be taken on three fronts.

- **Provide Comprehensive Security Assurances to all NNWS**. This would remove some of their compulsions for nuclear weapons.
- Conclude a universal *No First Use Treaty* in order to extend the assurance net over the NWS too. This would eliminate the attraction for refining nuclear weapons for use in an exchange between/among nuclear possessors.
- Conclude a *Convention* prohibiting the use of threat of use of nuclear weapons. This would significantly reinforce the taboo against nuclear use and keep the weapons in disuse.

Nearly all states with nuclear weapons have revised their nuclear doctrines in the last five years or are likely to do so very soon. *Each one of them without exception has reiterated the centrality of nuclear deterrence for national security.* Several countries see them as a weapon to offset their conventional military inferiority (Russia and Pakistan), to deter chemical and biological weapons (US, Russia, France and India) to guard against regime change (North Korea), to retain or gain prestige and status (U.K., France and India) and to deter interference in the conduct of their foreign policy (Russia and China). Each one of these perceptions enhances the utility of the nuclear weapons beyond the stated purpose of nuclear deterrence and thus motivates others to reach out for them.

The concept of negative security assurances (NSA) to the NNWS parties to the NPT had first developed partly to remove the attraction of nuclear weapons as a strategic equalizer. It amounted to the NWS providing an assurance or a guarantee not to use or threaten to use nuclear weapons as instruments of pressure, intimidation or blackmail against states that had voluntarily renounced them. However none of the NWS has made those assurances available unconditionally – China being the state nearest to unconditional. Moreover the NSA was never credibly formulated as a legally binding assurance through a multilateral instrument. It is merely a discretionary concession of NWS and mostly the discretion has been withdrawn.

Meanwhile, positive security assurances, or the guarantee that NWS would come to the rescue of a state under nuclear attack, have been held out on the basis of the alliance systems that existed during the Cold War period (e.g. USA vs Republic of Ko-

rea). This assurance of extended nuclear deterrence is claimed to have halted nuclear proliferation since the allies were promised protection of the nuclear umbrella of a NWS. But today it stands as one of the many hurdles in the path of nuclear disarmament. It is feared that in case the NWS take away the assurance of nuclear protection from their allies, the latter would be tempted to develop/acquire a capability of their own.

One way to address this challenge is through the provision of assurance to all NNWS that they would not be subjected to the use or threat of use of nuclear weapons. The conclusion of a legally binding agreement that pledges this assurance would reduce the attractiveness of the weapons for the NNWS, whether allies or non-allies of other NWS, and would eventually remove the need for extended deterrence, since NNWS would not fear a nuclear attack from other NWS. At the same time, universal instead of alliance-based positive security assurances would also significantly allay threat perceptions and reduce the desire for acquiring a national nuclear capability.

Legally binding 'No First Use' Agreement

While security assurances to the NNWS would significantly reduce the attraction of nuclear weapons, a universal acceptance of "no first use" (NFU) by NWS would remove the possibility of a nuclear exchange between NWS too. In fact adoption of NFU would be a crucial step towards the eventual elimination of nuclear weapons since it would involve an assurance from every country that it would not be the first to introduce nuclear weapons into a conflict. Since there would not be a first use, it would effectively mean no use of the nuclear weapon and hence a reduced dependence on the weapon in national security strategies over a period of time.

Of course, there are critics of NFU who dismiss it as nothing more than a declaratory policy that matters little when hostilities break out between nuclear nations. Such criticism tends to overlook the fact that the adoption of NFU automatically translates into a certain kind of nuclear force posture, strategy and deployment pattern that ensures that the promise of NFU is kept. Doctrines that ascribe a war-fighting role to nuclear weapons envisage "first use" to retain the military advantage and, therefore, adopt launch on warning or launch under attack postures as also preemption.

Overall, an NFU has the potential to lessen inter-state tensions, increase mutual confidence and thus reinforce a cycle of positives. It would enhance the inclination towards non-proliferation by sending a strong signal of the diminishing utility of nuclear weapons. This would be a first of its kind of agreement among all NWS, and this would signify great symbolic political value. It would lessen the drive of each NWS for new and modernized nuclear arsenals and thus lower inter-state tensions.

An International Convention

A logical step that would flow from the two measures described above would be to arrive at an international convention prohibiting the use or threat of use of nuclear weapons. In case that all NWS were to commit under a convention to an undertaking that nuclear weapons shall not be used and that any country using them or threatening to use them shall face sanctions of the gravest nature, it would make nuclear weapons significantly impotent and useless. The value of nuclear weapons would fall instantly and further proliferation would stop. Also the unique status that nuclear weapons are deemed to provide would no longer seem worth aspiring to. Therefore a total ban on the use of nuclear weapons would directly strike at the very root of their utility.

It is important to note that the UN General Assembly has periodically considered resolutions to this effect. As far back as in 1961, it had adopted a declaration by vote of 55 to 20 with 26 abstentions stating that the use of nuclear weapons was contrary to the "spirit, letter and aims of the UN". Predictably the P-5 states have opposed the resolution and proposed instead a step-by-step process that embraces unilateral, bilateral and multilateral measures.

The 'Advisory Opinion' delivered by the International Court of Justice in 1990 on the legality/illegality of use of nuclear weapons by a nation, has not clearly removed the ambiguity over the issue. The Court did conclude unanimously that a threat or use of nuclear weapons that runs contrary to Article 2, paragraph 4 of the UN Charter and that fails to meet all requirements of Article 51 on self-defence, would be unlawful. However it could not conclude definitively whether such an act would be generally contrary to the rules on international law applicable in armed conflict, and particularly to the principles and rules of humanitarian law, and also whether the act would be legally be justifiable in an extreme circumstance of self defence when the survival of the state is at stake. NWS have taken advantage of this ambiguity in order to maintain nuclear arsenals for deterrence. However the Court's conclusion that there is no specific law prohibiting the use of nuclear weapons itself demands that the lacuna be removed through the enactment of a law or convention.

A convention banning nuclear use, in fact, would send an important signal to all concerned constituencies – it would devalue the weapon substantially as a currency of power and status; it would reduce if not eliminate the likelihood of a nuclear exchange between NWS; it would reassure the NNWS and reduce their temptation to acquire these weapons; it would reinforce the taboo against nuclear use and this would influence non-state actors too.

The Stated Positions of the WCC

It may be useful to recall the stated position of the World Council of Churches on the nuclear weapon issue.

The WCC held a Public Hearing on 'Nuclear Weapons and Disarmament' in Amsterdam in November 1981. The Hearing examined a broad range of expert witnesses including eminent specialists, political leaders and theologians. The Report of the Public Hearing became the basis for policy statements on the nuclear issue by the Sixth Assembly held in Vancouver in 1983. Relevant extracts from the Assembly Statement on Peace and Justice are given below:

The Central Committee urged the churches to pay special attention to and take clear positions on a number of points developed in the report of the Amsterdam Hearing. We reiterate that appeal with respect to the following:

- (a) a nuclear war can under no circumstances, in no region and by no social system be just or justifiable, given the fact that the magnitude of devastation caused by it will be far out of proportion to any conceivable benefit or advantage to be derived from it.
- (b) Nuclear war is unlikely to remain limited, and therefore any contemplation of 'limited' use of nuclear weapons should be discouraged as dangerous from the outset.
- (c) All nations now possessing nuclear weapons or capable of doing so in the fore-seeable future should unequivocally renounce policies of "first use", as an immediate step towards building confidence.
- (d) The concept of deterrence, the credibility of which depends on the possible use of nuclear weapons is to be rejected as morally unacceptable and as incapable of safeguarding peace and security in the long run.
- (e) All nations should agree to and ratify a comprehensive test ban treaty as a necessary step to stopping the further development of nuclear weapon technology.

The Assembly reaffirmed the conviction of the Panel of the Public Hearing:

We believe that the time has come when the churches must unequivocally declare that the production and deployment as well as the use of nuclear weapons are a crime against humanity and such activities must be condemned on ethical and theological grounds. The nuclear issue is in its import and threat to humanity a question of Christian discipline and faithfulness to the Gospel. We recognize that nuclear weapons will not disappear because of such an affirmation by the churches. But it will involve the churches and their members in a fundamental examination of their own implicit or explicit support of polices which implicitly or explicitly, are based on the possession and use of these weapons."

Reaffirmations of these theological positions have to be reinforced by formulating clear positions on new developments in the last quarter of a century including extended deterrence, the development of new nuclear weapons systems, missile defense, war fighting postures like preemption and new nuclear doctrines.

Conclusion

If nuclear disarmament is a matter of inter-state relations and power game for governments, for people all over the world it is a matter of life and death. While conceding the significance of the US initiative and UN Security Council resolution it has to be seen whether they go beyond repairing the NPT. Since deterrence is claimed to be the objective and basis for possession of nuclear weapons, this concept needs close scrutiny and challenge.

The single most important force for proliferation and against disarmament is the nuclear posture of the USA combined with the threat raised by its imperialist wars and new doctrines of preemption and preventative wars. When the most powerful military machine in the world claims that nuclear weapon is an integral and indispensable part of it, the message that is sent around is loud and clear.

The new initiative will instill any confidence among people only if nuclear powers led by the USA are ready to go beyond NPT, CTBT and FMCT and take real and meaningful steps towards nuclear disarmament. Three important steps are suggested here: a comprehensive security assurance to NNWS; a legally binding agreement on "no first use" and international convention prohibiting the use or threat of use of nuclear weapons. The nuclear powers need to be continuously challenged on this.

For the ecumenical movement and the churches, the time has come not only to reaffirm their stated convictions but to probe the issues in depth theologically in the light of new developments and reformulate their concerns in a way that brings to the fore the perspective of the people.