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French Extreme Right-wing Party wants to "inscribe Nuclear Deterrence into the Marble of the Constitution"

- Homepage - News - News Articles -
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The group of 88 MPs of the RN party [the Rassemblement National, led by Marine Le Pen] has just presented a "CONSTITUTIONAL BILL aimed at protecting and guaranteeing the strength of France's nuclear deterrence". This was presented to the Presidency of the National Assembly, and registered on 9 February 2023.

According to this Bill, nuclear deterrence "the fruit of General de Gaulle's wish to construct and consolidate France's independence and sovereignty in the wake of the First World War [sic], constitutes the keystone of our national defense."

This Bill, although riddled with specious assertions, is a major event, a totally unprecedented one, in the history of France's Fifth Republic. It admits in fact for the first time that the nuclear strike force, said to be "nuclear deterrence", is far from being supported by a national consensus, and is in danger of being contested. So, to preserve it, the Bill intends to use constitutional means to block all debate and any popular consultation.

But, while wanting to ban debate, the RN party can only provoke debate. What it rejoices about, as the so-called "national consensus" around the strike force, has been maintained so far only because of the conspiracy of silence that has surrounded it for decades.

So let's have debate!

Admittedly, "nuclear deterrence" is a keystone. But not of France's national defense. It is merely the keystone of the global system of atomic intimidation that has enabled a dictator like Mr Putin to wage war (sheltered by his own nuclear weapons) - a war of aggression against a state whose security Russia has previously guaranteed. Yes, Ukraine's security, sovereignty and frontiers (including Donbas and Crimea) were guaranteed by Russia in the *Budapest Memorandum* (signed on 5 December 1994 by Ukraine, Russia, the UK and the USA).

France's nuclear arms were no more able than NATO's to stop Putin's invasion, and they would not intimidate him if he saw fit to attack us. In the worst case scenario - if he struck France with one or more nuclear weapons - a decision to use ours against him (i.e. against the Russian people) would merely provoke a massive retaliation leading to the general destruction of France and her inhabitants. Nuclear deterrence" is not just exorbitantly costly, it is stupid and suicidal.

So why was this new Bill drafted, doubtless some weeks ago by Caroline Colombier **(1)** of the RN (the MP for Charente in Western France, who is very present and active in the National Assembly), and submitted by the RN group so precipitately, to the point of leaving typing errors and monumental gaffe confusing WW2 with WW1?

Why? Because the RN has taken fright. And for good reason.

They fear the perils threatening deterrence's own threat. The nuclear strike force is in danger!

Indeed, as the RN admits, "it has been the subject of questioning and contestation for numerous years".

1°) the contestation from "some political leaders who don't see the use of maintaining a tool they consider costly and even outdated";

2°) "the recurrence of the politico-military fantasy of a Defense Europe which might result in a possible sharing of our capability with our European neighbours";

3°) "a third danger... : the ecologist ideology". According to the RN, one of the targets of "the leftwing lobbies and activist associations" is "obviously nuclear power-generation but nuclear weapons too ... military uses are not sheltered from such attacks because radical punitive ecology (...) employs the levers of fear and violent action to impress and influence public opinion and decision-makers."

That last danger is in fact the key.

One example of the "levers of fear and violent action" seeking to "influence public opinion and decision-makers" is - but the RN is careful not to speak of it - the Bill aimed at organising a referendum on France's participation in the abolition of nuclear and radioactive weapons, which ACDN sent with its good wishes at the beginning of year and again on 6 February 2023 to all 925 parliamentarians, including the MPs of the RN, inviting them to sign it. **(1)**

This danger provokes in the RN the worst of fears: fear of the sovereign people (when they don't share its ideas). The MPs have learnt the findings of the IFOP-ACDN poll of 26 September 2022:

[-] that French citizens would gladly do without all nuclear weapons, including the strike force;

[-] that in July 2018 85 % of them (including 81 % of Marine Le Pen's voters !) were willing for France to negotiate with the other nuclear states with a view to eliminating all their nuclear weapons;

[-] that despite the war in Ukraine, which favours the belief - really pure fantasy - that our strike force is useful, there are still 71% of French people wanting to be rid of all nuclear weapons;

[-] and that 70 % of them would support the referendum bill if 20% of parliamentarians signed it (only 185 senators and MPs out of 925). This, in the current context, is quite conceivable, since 126 parliamentarians had already signed in 2017 a very similar bill, and since a considerably larger number could sign it today, at least that is imaginable.

That is why the RN party, far from calling for a referendum on this matter (as it does on the retirement issue) is proposing a constitutional law intended, rather, to prohibit as contrary to the Constitution any referendum that might undermine the existence of the "deterrent" strike force, even if this was abandoned in favour of a world without nuclear arms, as is required by the UN Charter, by Article VI of the Non-Proliferation Treaty (the NPT, which France ratified)... and consequently by the French Constitution of 4 October 1958, because its Article V makes the President of the Republic the "guarantor of treaties."

In the Constitution of the Fifth Republic there is a major gap, which the RN did notice: while saying that the President of the Republic is the head of the armed forces (article 15), it does not say that he is authorised to commit or to threaten, in the name of the Nation, a crime against humanity. And the use of a nuclear bomb would be such a crime. Yet the whole Constitution, starting with the Republic's motto "Liberty, equality, fraternity", invites us to think otherwise. The RN, then, wants to fill this "gap", whether or not the French people agree. The party wants to set up a constitutional means of preventing the citizens from speaking on this subject. Will it find allies to join it in denying democracy and flouting human rights? It's not excluded.

Only one alternative

Here is the single article of Bill N° 825 presented by the RN party:

Sole Article. "The second paragraph of Article V of the Constitution of 4 October 1958 be completed with a sentence worded thus : "Under his authority is placed the nuclear deterrence force whose organisation, management and operativity cannot be abandoned, transferred or shared."

And here are the two articles of the referendum Bill proposed by ACDN and submitted for signature to all parliamentarians (including those of the RN) who all ought to consider the matter in their souls and consciences, not by order of a Chief:

"Article 1. "That France take part in the abolition of nuclear and radioactive weapons and engage with all the States concerned in negotiations aimed at drawing up, ratifying and implementing a treaty to ban and completely eliminate nuclear and radioactive weapons, under mutual and international control that is strict and effective."

Article 2. That Article 1 above be submitted to all French citizens by referendum, in accordance with Article 11, part 3, of the Constitution."

A choice must be made

[-] Either France, Europe and the planet will be kept under the permanent threat of nuclear weapons until the threat comes to fruition,

[-] Or else, on the initiative of at least one nuclear state, which could be France ("the homeland of human rights"), negotiations will be opened, pursued in good faith, and will result in a world finally freed from nuclear and radioactive arms, a world capable of uniting to meet the huge challenges posed by (among other things) climate change and its catastrophic effects, the extinction of species, the energy crisis, pandemics or food poverty.

It is even conceivable that starting such negotiations might open the door to a diplomatic solution for the Ukraine war.

We appoint as judges on these matters France's MP's, senators, and all citizens, and we invite them to act on their judgements.

The French people need to be able to say yes or no whether they want to keep on financing through their taxes a "deterrence force" which do not protect them against terrorists or wars, and which, if war spread beyond Ukraine, would make them both victims and accomplices of monstrous massacres, and maybe even the end of humanity. Perhaps they would prefer to see this "strike force" placed on the negotiating table as a means of obtaining the agreement of other nuclear states to renounce their nuclear arms. That would be the only intelligent and rational use for it. If our nuclear weapons served that purpose, at least, we would not have spent 300-400 billion euros totally in vain.

Unlike the RN party's Bill, which perpetuates atomic terror and "inscribes it in marble", the ACDN referendum bill proposes a way of exiting. It does not ask France to disarm unilaterally. It simply asks that France honour her word and bring the other nuclear states (whether or not signatories of the NPT) to negotiate with her the means and the timelines for multilateral disarmament that is gradual, comprehensive and controlled. This - no more and no less - is what International Law and the UN require.

We call on all journalists to carry this debate into the centre of the public arena.

For ACDN

Jean-Marie Matagne, president

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(1)

Caroline Colombier is vice-president of the RN party's group in the National Assembly, a member of its Commission for Defense and the Armed Forces, and the only opposition representative within the Parliamentary Delegation on Information (DPR in French), that is on secret and sensible information.

(2)

[\[PDF - 203.7 kb\]](https://acdn.net/spip/IMG/pdf/lettre_aux_deputees_vd_6_fevrier_2023.pdf)

Lettre adressée le 6 février 2023 à chaque députée, semblable à celles envoyées aux députés, sénateurs et sénatrices.

[\[PDF - 141.8 kb\]](https://acdn.net/spip/IMG/pdf/les_francais_et_la_participation_de_la_france_a_l_abolition.pdf)

Les Français et la participation de la France à l'abolition des armes nucléaires et radioactives (Sondage IFOP-ACDN, septembre 2022)

[\[PDF - 178.7 kb\]](https://acdn.net/spip/IMG/pdf/proposition_de_loi_visant_a_organiser_un_referendum_sur_l_abolition_des_armes_nucleaires_et_radioactives.pdf)

Proposition de Loi référendaire

[\[PDF - 134.5 kb\]](https://acdn.net/spip/IMG/pdf/formulaire_de_soutien_a_la_proposition_de_loi_referendaire_abolition_des_armes_nucleaires.pdf)

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