

THE ETHICS OF NUCLEAR DETERRENCE: A CRITICAL COMMENT ON THE PASTORAL LETTER OF THE U.S. CATHOLIC BISHOPS

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I

INTRODUCTION

1. In May 1983 the Roman Catholic bishops of the United States issued a wide-ranging pastoral letter¹ about the problems of international security. The letter conveys moral tolerance of deterrent possession of nuclear weapons, at least for a while, alongside what seems virtually comprehensive condemnation of their use. The present writer, while sharing the acceptance of deterrence, believes that such a stance is flawed in practice and logic, and unlikely to provide lasting support for the conclusion. This commentary states the central difference between the letter's position and the writer's; outlines a theory of the basic significance of nuclear weapons in warfare; against that background, argues that wholesale condemnation of nuclear use is mistaken; and then examines other weaknesses in the letter's position.

2. Basic ethical views on nuclear weapons fall within three main positions:

- A. Use of nuclear weapons must always be wrong, and possession for deterrence must also be wrong.
- B. Use might in some forms and circumstances be legitimate, and possession can therefore be justifiable.
- C. While use must always be wrong, possession for deterrence can be justifiable.

Editor's Note.—The author of these comments on *The Challenge of Peace* is a British civil servant with a background of service primarily in the Ministry of Defence. The comments were, however, written in April 1984, some time after he had moved to other work. It was composed in a personal capacity, outside his current professional concerns, and is in no way an expression of UK Government policy. We reproduce it, with permission, in the belief that its contents remain of interest and importance for the continuing debate on the U.S. bishops' letter.

¹ *The Challenge of Peace: God's Promise and Our Response* (Washington, D.C.: USCC, 1983). References are to the text as printed in *Origins* 13, no. 1 (May 19, 1983) 1-32.

Specific conclusions may be much more diverse, as judgements are brought in about, for example, how likely it is that deterrence might fail or an adversary exploit weakness. Basic approaches must, however, fall within this framework.

3. Each approach faces extreme difficulties. For example, Position A has to explain how it can be reasonable to require that the exploitation of nuclear weapons must, if necessary, be left through the rest of human history as a one-sided option for the unscrupulous and the aggressive, unconstrained by countervailing power. Position B has to explain how the use of nuclear weapons could ever be reconciled with moral concepts of the discriminate and proportionate use of force. Position C has to explain how it can be legitimate, and effective in deterrence, to create and maintain a capability which must never be used. Each of these three difficulties—and there are others, too, for each position—is so grave that by ordinary standards it would surely, in isolation, be rated conclusive against the position on which it weighs. But it is logically impossible to rule out all three positions. We have to compare appallingly difficult options, to judge which seems on balance to present least difficulty. For adequate evaluation, it is not enough to point to difficulties, however serious, in positions rejected; the difficulties of that preferred have also to be acknowledged and weighed.

4. The letter and the present writer agree in rejecting Position A, and it is not further considered here. Thereafter, however, the writer prefers Position B, the letter apparently Position C. This commentary argues that the letter overstates the difficulties of Position B in at least one major respect (escalation risk); that it understates and indeed mostly ignores the difficulties of Position C; and that as a result it seems to make what is probably the worse choice, and certainly not established as the better choice firmly enough to warrant support in a pastoral letter of such weight and public authority.

5. The interpretation of the letter as condemning virtually all use has not been everywhere accepted. In a few passages, taken on their own, the condemnation seems less than absolute² and certain commentators, including some understood to have been closely associated with the letter's shaping, have argued that it is indeed not intended as absolute. If they are right, the letter displays marked ambiguity—which is not the same as an agnostic position or an admission of uncertainty, neither of which is evident in the letter on this key point. Ambiguity on such a

² See a striking example *ibid.* IV C (*Origins* 29, col. 1).

point³ would be not just matter for purist regret. It would lie at the heart of the moral analysis of deterrence, for on alternative resolutions of it turns the fundamental difference between Position B and Position C—and thus, on the argument developed in Part IV of this commentary, the difference between a position which is ethically and practically coherent and one which is not.

6. However, conscious ambiguity (or even unresolved disagreement left latent after a long process of corporate drafting) on the potential legitimacy of use is in any event not the only possible nor the most natural interpretation of the letter. Its general thrust seems clearly to convey unqualified condemnation, at least of any nuclear use adequate for the possibility of it to underpin deterrence. So far as the present writer knows, the bishops have not disowned widespread interpretation in that sense, nor indicated this as one of the aspects of the letter to which their qualified disclaimer of firm assertion⁴ particularly applies. This reading, moreover, matches what senior representatives of the bishops, like Cardinal John Krol of Philadelphia, had said in earlier considered statements. At the least, therefore, the present commentary is directed to what the letter is widely believed to be saying.

II

THE SIGNIFICANCE OF NUCLEAR WEAPONS

7. Before 1945 advancing technology had long been heightening the destructiveness of warfare. The coming of nuclear weapons meant a sudden and enormous leap, of a different order from that caused by, say, gunpowder or aircraft. We do not, however, understand it enough if we see it as just a ghastly intensification of the human horror of war. It did something fundamental at a colder level of analysis: it carried the potential of warfare past a boundary at which many previous concepts ceased to have meaning. The combination of nuclear explosive power with the world-wide delivery capability of modern missiles and the diversity and elusiveness of missile platforms, exploited by the huge resources of large highly-developed states, makes available what is for practical purposes infinite destructive power, unstoppable and inexhaustible at any humanly relevant levels. What used to be the main professional idea in military contest—to deprive the adversary of the strength or reach to land effective blows, as with the defeat of Hitler—simply ceases to apply; an all-out competition of strength between infinitely

³ Fr. Bryan Hehir has written approvingly of “purposeful ambiguity” in the letter. But ambiguity of meaning—if this is the letter’s true intent—is a different matter from reservation of judgement, and hardly apt for a pastoral letter.

⁴ *The Challenge of Peace I (Origins 3, col. 1).*

strong adversaries is logical nonsense. We have arrived at the *reductio ad absurdum* of war capability. This central fact makes the notion of initiating war between major nuclear adversaries wholly irrational by “classical” standards so long as neither plainly lacks will. It thus gives the deterrent impasse great inherent stability—and may also make it less surprising that ethical choices present novel and acute dilemmas.

8. A nuclear power or alliance starting aggression against another can rationally do so only on a judgement that the other will sooner or later give way without using its full strength; and if war nevertheless develops, the key strategic aim of each side’s operations (short perhaps of any final blow) can only be to induce the other to stop though still having the physical capacity to go on. To the limited extent that the concept of military victory still has meaning, that is its essential criterion; however awkward we may find this, no other can be available.⁵ Moreover, because events thus depend crucially not on the limits of feasibility but on human choices among alternative courses physically available, uncertainty and risk are inescapable—and inescapable for both sides. A tenacious hold on these truths is essential if we are to think straight about matters like “first nuclear use” and escalation.

9. Furthermore, what is said above applies to all war between nuclear adversaries. Though we can recognise subdivisions of military force and find concepts like “thresholds” and “firebreaks” useful, no conceptual boundary could be reliably secure amid the stresses of major war; we could never be sure in advance that war would be halted at the nuclear threshold. Escalation is far from certain, as later paragraphs explain. But given the commitment nations bring to war, the passions a massive conventional conflict would have aroused, the hostility between opposing political systems and the power of nuclear weapons to overtrump lesser ones, we can never take it as certain, whatever is said beforehand, that losers will accept nonnuclear defeat in obedience to treaties or promises. Even if all nuclear weapons had been scrapped (and no one knows how to achieve that), there could never be assurance that a Hitler would go down to defeat without building some and using them, or that a Churchill would risk letting him prevail thereby rather than make counterpreparation. In brief, we can never count on sealing nuclear weapons off safely from lower levels of war between great powers. Their potential is not a

⁵ Those few who argue for new Western plans to confer a “war-winning” capability, and those who from a very different standpoint criticise existing NATO arrangements and concepts because they can never confer any such capability, are implicitly using a criterion from past warfare which, as Western heads of government have clearly recognised, has become unreal.

detachable adjunct to the spectrum of military force; they form part of it, infecting and transforming the whole. The possibility of escalation to global nuclear exchange therefore begins with the first bullet fired, not the first nuclear weapon. If that possibility, irrespective of probability, is judged absolutely intolerable, the necessary conclusion is to renounce not just nuclear resistance itself but also any power of nuclear resistance, and with it any capability thereby to deter. (The logic indeed then goes further. Since no lesser military resistance could expect to prevail against nuclear force, the efficacy and thus the morality of lesser resistance come into grave question; we are driven towards pacifism in face of any nuclear adversary we think might be determined enough to use his full strength.)

The Timescale of Change

10. It is sometimes suggested that the acceptance of nuclear deterrence can be short-lived and any moral and logical discomforts accordingly tolerated in the reasonable expectation of escaping from them before very long. Early transformation of the international scene is indeed not impossible. The real probabilities, however, do not make hopes look dependable of escaping soon from the circumstances which now make deterrence necessary. Those circumstances are a combination of physical possibilities and political setting:

- (a) The physical possibilities are irreversible. Even if we saw practical ways (such as no one has yet even sketched) to secure the abandonment of all the five nuclear armouries now evident, and to set up reliable systems for verifying world-wide in peacetime that they were not being rebuilt nor others created, the knowledge cannot be forgotten; and the possibility must always exist that under the stress of imminent or actual war it will again be exploited. We cannot, moreover, count on eventually constructing deterrent systems of equal effect entirely with lesser weapons. We should be able to carry further the process, already begun by the West, of changing the mix between nuclear and other weapons in deterrence; but the notion of a purely "conventional" deterrent system in face of nuclear force is unreal. Nor is there much likelihood of constructing—and certainly no assurance of success in doing so—defensive systems effective and reliable enough to be sure of keeping the damage of a heavy nuclear attack so low that the defender would no longer need, for deterrence, to pose any nuclear threat of his own.
- (b) At least two major power groupings have political outlooks so opposed that neither could reasonably be expected to trust the other not to solve problems to its own taste by military force if

that were an easy and low-risk prospect. The likelihood seems remote of political and social changes in either East or West so radical as to transform this situation within any timescale relevant to current policy choices. The likelihood seems even more remote that some world institution will acquire both globally-recognised authority and enough coercive power to make war between states a possibility with which the major ones need no longer reckon.

11. All this does not mean that deterrent confrontation between profound adversaries must be accepted as mankind's system of security for the rest of time; or that deterrent arrangements can have no other form and scale than they have now; or that particular states must always remain harsh and closed totalitarian societies. None of these conditions can command moral contentment. The discussion does, however, suggest, first, that we cannot base ethical analysis (or acceptance of an unsatisfactory analysis) on expectation that the main features which make deterrence necessary will be short-lived; and second, that the prime way out of that necessity has to be through changing political relations rather than abolishing nuclear possibilities. Rhetoric claiming that arms-control and disarmament efforts can do this last is not founded in reality; it is a distraction from the more modest yet still extensive and highly valuable results which such efforts, well directed, can reasonably seek.

III THE MORALITY OF POSSIBLE USE

12. Those who believe that the use of nuclear weapons⁶ might in some extreme circumstances be justifiable face two main difficulties, which must be tackled even if it is judged—with the present writer—that provided the West maintains a substantial system of deterrence such circumstances are very unlikely. The first difficulty is how any final strategic blow heavy enough for its prospect to underpin deterrence could avoid being too indiscriminate and disproportionate to be morally tolerable. The second concerns risk that any use of nuclear weapons might start an uncontrollable process leading to an intolerable outcome. The letter notes both difficulties but makes more of the second, and this commentary accordingly concentrates on that. Some comment on the first, which the present writer regards as the more formidable, is offered in Annex A.

⁶ The letter is not concerned, nor is the present writer, with narrowly-specific uses like ballistic-missile interception and antisubmarine warfare, or single-shot "no-target" demonstrations. Deterrence cannot be built on these alone.

Escalation

13. In essence, the letter believes that any significant use of nuclear weapons would lead with high likelihood to general holocaust. The letter cites eminent sources for this view, though its language is at times⁷ more confidently assertive about probabilities than most of the sources quoted were (let alone other possible sources, of different opinion). But the welcome absence of evidence on nuclear warfare should make us wary of resting on appeal to expertise; we need to think matters through for ourselves.

14. The term "escalation" refers to the familiar fact that, in situations of competition or conflict, actions by one side are apt to induce reactions by the other, particularly to recover advantage or redress disadvantage, and that in war this process may progressively raise the intensity of fighting. Escalation starts when fighting starts, not just when nuclear fighting starts. The customary concern, however, is primarily with what may happen if nuclear weapons are used: Is retaliation certain? And could the process be halted short of all-out nuclear war?

15. Two points about these questions should be recognised at the outset. The first is that we do not know the answers for sure; and anyone who asserts or implies that we can be sure or nearly sure cannot be on firm ground. Nor can we measure the probabilities neatly. No one knows how politicians and soldiers will react in the unprecedented situations in question. Escalation is not a physical process like a chemical chain reaction, nor a set of random events like outcomes on a gambling machine; it is a matter of interactive choices by people. We have to consider it in human and political terms, not just as a matter of military or technical mechanics. The second point is that the possibility could arise in an immensely wide variety of ways and settings. Assertions claiming uniform predictive authority throughout the range of possibility are very unlikely to be well founded; and so, a fortiori, are deductions and evaluations purporting to rest on them.

16. There are good reasons for fearing escalation: the confusion of war; its stresses, anger, hatred, and the desire for revenge; reluctance to accept the humiliation of backing down; the desire to get further blows in first. Given all this, the risks of escalation—which political leaders rightly emphasise in the interests of deterrence—are grave. But this is not to say that they are virtually certain, or even necessarily odds-on; still less that they are so for all the assorted circumstances in which the situation might arise, in a nuclear world to which past experience is only a limited

⁷ E.g., *Challenge II A (Origins 13, col. 3)* and *B (Origins 14, col. 3)*.

guide. It is entirely possible, for example, that the initial use of nuclear weapons, breaching a barrier which has held since 1945, might so horrify both sides that they recognised an overwhelming common interest in composing their differences. The human pressures in that direction would be very great.

17. Even if initial use did not quickly end the fighting, the supposition of inexorable momentum in a developing exchange, with each side rushing to overreaction amid confusion and uncertainty, is implausible; it fails to consider what the decision-makers' situation would really be. Neither side could want escalation; both would be appalled at what was going on; both would be desperately looking for signs that the other was ready to call a halt; both, given modern technological advances, would have in reserve large forces invulnerable enough not to impose "use or lose" pressures. As a result, neither could have any predisposition to suppose, in an ambiguous situation of enormous risk, that the right course when in doubt was to go on copiously launching weapons. And none of this analysis rests on any presumption of highly subtle or preconcerted rationality; the rationality required is plain and simple.

18. The argument is reinforced if we consider the possible reasoning of an aggressor at a more cold-blooded level, in line with the basic analysis in paragraphs 7-8 above. Suppose there has been a major totalitarian aggression to annex or command the homeland of a member of the Western alliance or to throttle its lifeline (and the West does not seek to justify the possession of nuclear weapons for lesser contingencies). Given the power of the Western nuclear armoury, the aggressor could have embarked upon the conflict only on a judgement that the West lacked the will to use this, or at least to use it fully. If the West used nuclear weapons (whether first, or in response to the aggressor's first use) this judgement would begin to look shaky. There must be a substantial possibility—perhaps mounting rapidly if "homeland" strike entered the picture—of the aggressor's leaders' concluding that the initial judgement had been mistaken, that the risks were after all greater than whatever prize they had been seeking, and that for their own country's survival they must call off the aggression. Western plans for nonstrategic nuclear weapons are directed entirely in the first place to preventing the initial misjudgement and in the second, if it is nevertheless made, to compelling such a reappraisal. The former aim must have primacy, because we cannot guarantee that the latter would work. But there is no ground for assuming in advance, for all possible scenarios, that the chance of its working is negligible. The aggressor state would itself be at huge risk if war continued, as its decision-makers would know.

19. It may be argued that a policy which abandons hope of physically

defeating the enemy and simply hopes to get him to desist is pure gamble, a matter of who blinks first, and that the nature of a totalitarian tyranny makes it the less likely to blink. One answer to this is to ask what is the alternative; it can only be surrender. But a more positive and hopeful answer lies in the fact that the criticism is posed in a political vacuum. Real-life conflict would have a political context. That which concerns the West is one of defending its vital interests against an aggressor whose own vital interests are not engaged, or less engaged. While certainty is not possible, a clear asymmetry of vital interest is a not irrational basis for expecting an asymmetry, credible to both sides, of resolve in conflict. It is the role of statesmen, by consistent conduct over the years, to construct a framework of shared understanding about where limits lie. In Europe, at least, this has been substantially achieved (witness Western acceptance that military intervention to aid Hungarian, Czechoslovak, or Polish uprisings could not be an option). Elsewhere the work is less plainly settled, but it continues. If vital interests have been defined in a way that is clear, and also clearly not overlapping or competing with the adversary's, a credible basis has been laid for the likelihood of greater resolve in defence.

20. It is also sometimes suggested that, whatever theoretical discussion of political will and interests may indicate, the military mechanisms of nuclear warfare, particularly difficulties of communication and control, would drive escalation with overwhelming probability to the limit. But however eminent the sources cited, it is obscure why matters should be regarded as inevitably so for every possible level and setting of action. Even if the history of war suggested (as it scarcely does) that decision-makers are mostly apt to work on the principle "When in doubt, lash out," we are now in an utterly new situation. The pervasive reality, plain to both sides, is "If this goes on to the end, we are all ruined." Given that inexorable escalation would mean catastrophe for both, it seems perverse to suppose them permanently incapable of framing arrangements which avoid it. At least on the Western side, military commanders have no widespread delegated authority, in peace or war, to fire nuclear weapons without specific political direction; many weapons, moreover, have physical safeguards incorporated to reinforce organisational ones; and there are multiple communication and control systems for passing information, orders, and prohibitions. These latter systems cannot be totally guaranteed against disruption if, at a fairly intense level of strategic exchange (which is only one of many possible levels of conflict), an enemy thought it in his interest—it is by no means clear that he necessarily should—to weaken political control; even then, however, it must remain possible to operate on a general fail-safe presumption: no authorisation, no use. If

existing arrangements be judged in some respects not to meet the standards sketched above, the logical course should be to continue to improve them rather than to assume escalation to be uncontrollable, with all that flows from such an assumption.

21. The probability of escalation can never be 100 per cent, and never zero. Where between those two extremes it may lie is not precisely calculable; and even were it so, it would not be uniquely fixed—it would stand to vary hugely with circumstances. That there should be any risk at all of escalation to widespread nuclear war is deeply disturbing. But the letter's condemnation of all nuclear use cannot appeal simply to the fact of escalation risk irrespective of its particular magnitude, for the letter's own position entails some such risk, allowing as it does that a usable nuclear armoury should be available to Western decision-makers. The possibility of use, and so of escalation, is not merely unavoidable in the letter's position; it is essential to a key aim of that position.

22. The thrust of the letter—that escalation must be regarded uniformly as of very high probability—is neither firmly based nor even plausible. Still less, accordingly, can the risk of escalation, which must bear down on both sides in conflict, reasonably be regarded as imposing an absolute duty of abstention on one side irrespective of other consequences. The risk of escalation would have to be considered most anxiously by decision-makers, and it is a serious difficulty for those who would regard nuclear use as potentially legitimate in some circumstances. It cannot, however, be rated an absolute difficulty; it has to be weighed against the difficulties inherent in other positions. The letter wholly fails to do this in relation to its own preferred position. Part IV below addresses that omission.

“No First Use”

23. Escalation risk is a key aspect of “no first use.” This is mentioned early in the letter⁸ as an example of a matter on which the bishops do not seek to be firmly prescriptive. It is, however, in logic a lesser included case—arguably even an *a fortiori* case—within a wider “no use” conclusion, and cannot be entitled to be less firmly proposed than that wider conclusion. Yet there is little hint in the letter that the general “no use” conclusion is to be seen as tentative.

24. “No first use” is discussed in Annex B. Briefly, however, the letter's support for an absolute “no first use” principle seems to rest partly on the inadequate view of escalation already discussed, and partly on failure

⁸ *Ibid.* I (*Origins* 3, col. 1).

to recognise its possible consequences. In the latter respect it exemplifies a general weakness of the letter's position, further discussed below.

IV THE DEFECTS OF THE LETTER'S POSITION

25. The essence of the letter's apparent position on nuclear weapons is "possession for deterrence legitimate now, use always wrong." The letter nowhere explores the difficulties—indeed, nowhere admits clearly that there are difficulties—in such a stance, unprecedented in Christian ethical tradition. There is arguably a fundamental incoherence in the idea of deliberately maintaining a capability which must never be used. There are, however, also more concrete difficulties. The letter's position implies that if deterrence fails and nonnuclear resistance is then overborne, it is the unqualified duty of the defender to accept defeat; it assumes that deterrence based on an admitted bluff will indefinitely remain dependable; and it requires the individuals directly involved in sustaining deterrence to devote their working lives to a schizophrenic task.

Accepting Defeat

26. By its rejection of virtually all nuclear use, the letter inescapably conveys, although it does not acknowledge, that if deterrence fails and major war breaks out between nuclear powers it is the absolute moral duty of the West to go down to defeat if necessary rather than use nuclear weapons. The letter gives no room for practical judgement of circumstances or consequences to qualify this. It is apparently to hold, however treacherous and unjust the aggression; however appallingly the aggressor state may be known to treat its subjects; however sweeping the conquest in prospect; whatever the weapons used (nuclear, chemical, biological) to overbear the defender's nonnuclear resistance; and for all human history to come. Even if the deterrent bluff has previously been called and so proved ineffective, no stronger posture will ever become legitimate. In short, the letter conveys that use of nuclear weapons must if necessary be left for the rest of time—unless they can somehow be surely abolished—as a one-sided option available only to the unscrupulous. Given the coercive power which that would provide if unmatched by any truly-usable countervailing power, this is a proposition of striking magnitude and gravity, especially when reached by the elimination of alternatives and not by direct examination.

The Credibility of Deterrence

27. If the letter's position were widely accepted by the West (and since the bishops present it as a general moral stance, they must desire that it

should be so accepted), Western deterrence would be a bluff and indeed less than a bluff, for the renunciation of use would be publicly declared and sincerely meant as settled policy. The letter implies that deterrence would still be adequately credible since an adversary could never be sure that the armoury would not be used.

28. The credibility of deterrence is neither precisely calculable nor fixed. A "no use" declaration would be bound to have some weight in an adversary's calculation of likely Western reaction to attacks. That weight could only tend to reduce his estimate of nuclear risk, and so the firmness of deterrence. The reduction, however, would be unlikely to be of decisive degree in the near future, or in circumstances otherwise like today's. But as paragraph 10 has argued, Western deterrence may have to last a long time, through global shifts, new pressures, and changing governments. The bishops not only expect the "no use" policy to be disbelieved; they must want it to be disbelieved, for deterrence cannot otherwise work. Yet there must be a significant risk that, in time, the efficacy of this unusual stance would falter—that an adversary might act on a judgement that Western will to use nuclear weapons (a decision hard enough even without a sincere and settled conviction that it must never be taken) was faint or indeed, as the West would have been consistently avowing, nonexistent. That risk would be significant even if the West could adhere consistently, within the moral framework the letter urges, to the effective maintenance of a powerful and ready nuclear armoury. If, however, that proviso were not met—and paragraphs 29–30 argue that it may well not be—the decay of deterrence could accelerate swiftly.

The Burden on Participants

29. An effective armoury is not provided by a once-for-all act undertaken, for good or ill, in the past; it requires constant new actions, for example in modernisation and maintenance. It is also not an assembly of inert materiel over which the personnel involved sit passively like storekeepers guarding an inventory. To be capable of use and so of deterrence, it needs the constant commitment of many thousands of people to positive activities like designing, building, training, exercising, and operational planning. The passages—in themselves admirable—which the letter addresses to those in the armed forces and the defence industries do not acknowledge, let alone resolve, the acute difficulty which general rejection of nuclear use⁹ poses for such people.

⁹ Notably, it is precisely in this section that the wording seems most markedly to dilute the apparent general rejection, by observing (IV C [*Origins* 29, col. 1]): "In this letter we have ruled out certain uses of nuclear weapons. . . ." The qualification "certain" is not explained.

30. That rejection, alongside the acceptance of deterrent possession, means that individuals are invited to prepare—often in very concrete and specific ways like choosing targets and rehearsing weapon launch—to do certain things which they are not merely (as now) hoping and expecting they will never have to do, but actually required to resolve that they will never in any circumstances do. The letter nowhere notes that this is an extraordinary demand, nor considers the consequences if many of those concerned came to feel that their task amounted to living a lie or courting an immoral risk, and that they could not continue to dedicate their working lives to it. The difficulty goes wider still in democracies where security policies, to remain effective, need general public assent. An ethical position as strained and unprecedented as the letter recommends might well not sustain this. In short, it is gravely questionable whether the stance implied in the letter could durably underpin the individual and national commitment without which credible deterrence must decay.

The Logical Incoherence

31. Many of these difficulties have a common source: that the letter's apparent stance is at root incoherent, a claim to square a circle. Deterrence and use can be distinguished, but not wholly disconnected. Weapons deter by the possibility of their use, and by no other route; the distinction often attempted¹⁰ between deterrent capabilities and war-fighting capabilities has in a strict sense no meaningful basis (unless warfighting is misequated with classical warwinning). The concept of deterrence, accordingly, cannot exist solely in the present; it inevitably contains a reference forward to future action, however contingent. The reference need not entail automaticity, or even firm intention linked to defined hypotheses; it need entail no more than a refusal to rule out all possibility of use; but it cannot entail less. Arguments which use a distinction between political use of armouries (for deterrence) and military use (in war) to suggest that the possibility of the latter is merely a regrettable accompaniment, tolerable because of the former's merits, misrepresent the link between them. Political use arises from potential military use; their logical relationship in deterrence is that of end and means, not parallel effect.

32. Inescapably, the letter's stance recommends on the one hand the preparation of a capability usable only to do wrong, and on the other the making of a renouncing statement thereon which it earnestly hopes will not be believed. The whole process would amount to the expression of a

¹⁰ E.g., by implication, II D 2 (*Origins* 18, foot of col. 1).

massive untruth: either the preparation is bogus or the renunciation is insincere. The nature and the positive intent of each is to convey a message directly contrary to that purportedly given by the other; the concept seeks deliberately to imply what it explicitly denies. Such a stance can hardly be accepted as solving a crucial moral dilemma. In essence, the letter tries to avoid the bitter choice between abandoning deterrence and allowing nuclear use to be potentially legitimate. In a matter of such difficulty the attempt is understandable; but it fails. Position C simply falls apart under scrutiny.

V

CONCLUSION

33. In a limited yet crucial respect—the ethical basis for legitimate deterrent possession of nuclear weapons—the pastoral letter seems to have rejected the more natural concept, for reasons insufficient to bear so grave a weight, and to have then espoused, by elimination and not after examination and comparison, an alternative concept logically incoherent and practically dangerous. No answer is easy amid the unparalleled moral dilemmas which nuclear weapons pose. If, however, the bishops, whose views on these matters are important beyond their own country, are rightly understood as having made a choice between theories, they have made a poor one, to which any further commitment of their teaching authority would be unwise; and if they are not rightly so understood, clarification of what they do mean, even if it is simply that they are undecided, is much needed. The letter speaks of continuing the new appraisal of war and peace. It is to be hoped that the bishops, in participating in that endeavour, will be open to candid reconsideration of the issues here reviewed.

ANNEX A

THE STRATEGIC USE OF NUCLEAR WEAPONS

1. The judgement is often accepted, readily or reluctantly, that strategic use of nuclear weapons—taken here to mean use extensive enough for the prospect to provide adequate last-resort underpinning for deterrence of a potential aggressor superpower—could never be morally legitimate. This Note considers that judgement on the basis of three beliefs, not themselves here argued out:

- (a) that mutual deterrence involving nuclear weapons is a highly stable safeguard of peace and thus, for the West, of freedom—that provided sensible plans and provision are maintained, the likelihood of ever having to choose between nuclear action and submission to totalitarian conquest is remote;
- (b) that any alternative security system involving Western abandon-

ment of nuclear weapons would carry far higher risks to peace and freedom;

- (c) that Western possession of a substantial nuclear armoury nevertheless would not be justified if there were no circumstances in which its use could ever be right.

On this basis, the judgement has consequences so grave that it should not be accepted unless established as inevitable for all reasonably conceivable circumstances.

2. This Note takes for granted that nuclear attack whose specific purpose was essentially the destruction of population and property, with little regard for combatant/noncombatant distinctions, could never be justified, even in reprisal.

3. The judgement usually rests on some or all of these arguments:

- (i) that strategic nuclear action would certainly kill noncombatants, even if that were not its purpose;
- (ii) that the scale of killing would inescapably be disproportionate to any good result that could reasonably be expected;
- (iii) that even if such action could be brought within tolerable limits in respect of discrimination and proportionality, it would certainly or with overwhelming probability trigger further events exceeding those limits;
- (iv) that radiation from fallout causes deaths (and maybe genetic damage) in a way so certain, far-flung, and long-term that it must be regarded as lying beyond any reasonable view of unintended collateral effect as envisaged in just-war theory.

4. Argument (i) is incontrovertible. There are specialised uses of nuclear weapons—as in the antiballistic-missile or antisubmarine roles—which (aside from the limited fallout inevitable with any nonburied explosion, because of the material of the device itself) might cause no noncombatant casualties; but no such use or combination of uses could inflict a penalty heavy enough for sure deterrence. But the certainty of harm to noncombatants does not, in itself and irrespective of degree and of proportion to other effects, mean that action entailing it cannot be legitimate. Major war—at least in the round, if not always in relation to clearly-identifiable particular actions—has long entailed virtual certainty of such harm, and most ethical analysis has tolerated this within “double effect,” “lesser of two evils,” or similar concepts.

5. Argument (ii) is both more central and more disputable. It involves considering, first, what damage to objectives that might legitimately be attacked might suffice, in prospect, to deter a potential aggressor; and second, whether the harm to noncombatants likely to accompany such damage could ever be a lesser evil than letting the aggressor prevail.

6. The first of these questions requires us to consider whether a damage plan sufficient to deter could be devised without envisaging massive attack upon cities as such. This is not precisely calculable, because it depends on the particular circumstances and vulnerabilities of a potential aggressor state and the value judgements of its leaders. But we might ask ourselves whether we could imagine types of nuclear attack on the West which, without wholesale assault on cities, would still leave our complex societies too preoccupied with reconstruction and social cohesion to have either will or capability for avoidable military enterprises abroad on a large scale. Plainly we could; and even though a totalitarian state might have a different tolerance level, it must be possible that attacks not essentially counterpopulation in character could still—for example, by dislocating or distracting economic effort, by shaking internal political control and acquiescence, or by reducing military capacity for external conquest and occupation—render such a state highly unlikely to be able or willing to continue major external aggression. (It is not, however, supposed here that successful “counterforce” attack, in the particular sense of attack which seeks to neutralise an adversary’s nuclear capability before it can be used, is a feasible option, or that pursuit of capability for it would be other than unhelpful to confidence in stability.)

7. Nevertheless, even with strategic targeting policies which kept total scale as low as possible, excluded direct attack on populations as such, and regarded the minimisation of civilian casualties as a major consideration, very large numbers of noncombatants would probably be killed. (This might well be likely also of major war with modern nonnuclear weapons.) The second of the questions in paragraph 5 above—proportionality—then arises.

8. Deaths on a huge scale would be an appalling calamity. But proportionality involves not one factor only but the relationship between two. World conquest or domination—even for a short period, as of the Nazi conquests—by a tyranny like those of Hitler or Stalin would also be an appalling calamity. Each was responsible, within a limited time and geographical sway, for tens of millions of deaths and immeasurable other suffering. Whatever we think of present regimes, the structures and traditions of totalitarian states rarely guarantee their neighbours that they could never assume the malignity of, say, the Stalinist system. The assessment, moreover, is not just a matter of counting lives lost on alternative hypotheses; the defence of truth and human rights has a separate and major weight, as the letter recognises.¹¹ The price of defeating Hitler was enormous—many millions of lives, including a substantial

¹¹ I C 3 f (*Origins* 11, col. 1).

proportion of noncombatants—yet most people would agree that it was better than letting him prevail. There seems no reason why we must conclude, for every possible future case, that we have to reach a contrary judgement in respect of very large potential losses—even perhaps running again to many millions—as the undesired price of resisting an extreme tyranny engaged in global aggression. Hundreds of millions would be another matter, but the discussion in paragraph 6 above suggests that halting the aggressor need not automatically be assumed to involve such a penalty.

9. To be both effective in deterrent prospect and justifiable in execution, the level of nuclear strike would need to be such that the expected damage to the aggressor should suffice to rob him of will or capability to go on while at the same time the unpurposed harm expected to noncombatants was less than the evil expected if the aggressor prevailed. It is not obvious that there could never be a level of strike satisfying these two conditions together. (Indeed, it might be argued that the higher we set the aggressor's assumed tolerance of loss, the greater we imply to be his inhumanity and therefore the harm from letting him prevail.)

10. The question can be viewed from another angle. Suppose, artificially, that major aggression by a tyrannical regime could be frustrated by counteraction which would inflict a hundred unpurposed noncombatant deaths. Almost everyone would agree that this was morally tolerable. At the other extreme, almost everyone would agree that counteraction inflicting a hundred million noncombatant deaths would in any circumstances be disproportionate. Where exactly, along the vast spectrum between a hundred and a hundred million, the crossover point between proportionate and disproportionate would fall would be a difficult assessment, requiring judgement which would vary widely with circumstances, such as the nature and record of the aggressor. But in principle there must be a crossover point. It would be possible to frame the provision of Western deterrent capability at a level judged adequate, in the worst reasonably-conceivable combination of military circumstances, to inflict damage at or just below the crossover point related to the worst reasonably-conceivable aggression to be prevented. Force provision so calibrated might still be very substantial, and thus highly effective in deterrence; yet virtually by definition there is no compelling reason why its potential use should be condemned out of hand, if planning did not assume (as it need not and should not) the automatic use of the full capability in circumstances falling short of the worst cases to which force provision had been geared.

11. Some further points are worth noting:

(a) A deterrent policy on the basis of paragraph 6 does not depend on

the adversary's having a similar one. It could still be adequate even if his envisaged massive counterpopulation strike. Deterrence requires not that the penalty for the aggressor should be greater than for the defender but that it be greater than the prize the aggressor could expect to gain.

- (b) Even if noncombatant deaths are truly unpurposed—that is, if the targeting seeks to achieve its results without them, and to keep their numbers to a minimum—the prospect of them may well contribute to deterrence; and this does not morally invalidate the concept.
- (c) An aggressor state—particularly a totalitarian one judging others by its own standards—might never feel able to rule out the risk that, whatever the defender's declared policy, a different one might be followed under the stress of war (especially if it itself attacked cities). This too might reinforce deterrence; and provided that the declared policy was truly intended and reflected in planning, the deterrent bonus of feared breach would not make immoral the possession of weapons properly justified on other grounds.
- (d) If deterrence failed, moral judgement would still remain to be made about whether the particular circumstances warranted the execution of nuclear-strike plans at all, and if so on what scale.
- (e) The concept of strategic strike implied in paragraph 6 might well never warrant anything like the all-out launch of warheads in the many thousands of which present armouries are capable. Evaluation of how large armouries ought still to be in conformity with that concept would need, however, to be approached warily. For example, even if it were judged that the delivery on appropriate targets of X warheads was the most that could ever be legitimately planned, the calculation of inventory would be entitled to allow conservatively for the capability of the opposing armoury in a well-timed pre-emptive strike; unserviceabilities; defences and their possible development; and possible change in target sets. The outcome might legitimately be several times X.

12. Argument (iii) of paragraph 3 concerned adversary response. In ethical theory it is not clear that conjecture, however confident, of further immoral reactions by an aggressor must determine the morality of the victim's reaction at or near the situation of last resort; it seems unlikely, for example, that moral theologians would regard it as a woman's absolute duty—as distinct from her right if she so chooses—to submit to rape if she believes that resistance would lead to worse. It would plainly be natural for the victim of aggression to consider whether the outcome of

resistance would be worse than that of submission. But we do not have to prescribe the answer in advance. We cannot tell surely now, for all possible circumstances, what course nuclear war would take; in particular, we have no ground for assuming that Western resistance along the lines of paragraph 6 would inevitably precipitate an unlimited countercity response (the point in paragraph 11 (c) is relevant). It seems unreasonable therefore to claim that opinions, inevitably uncertain, about how an unjust aggressor would react must absolutely rule out the option of resistance.

13. Argument (iv) of paragraph 3 concerned radiation effects. These—especially genetic damage, if a large-scale likelihood of this were substantiated—are particularly grave and repugnant, and our lack of sure knowledge about them imposes an extra duty of prudence. Yet there seems no reason why moral evaluation must regard them as fundamentally different from other kinds of collateral harm. They would certainly cause noncombatant suffering and death, and long-term harm; but so would any major modern war even if radiation effects did not exist. Suppose that we knew that the undesired noncombatant deaths from radiation caused by the nuclear defeat of a neo-Hitler would number ten, or a hundred? We would surely not view this as making that defeat immoral. The implication must be that death or other harm from radiation should enter the assessment of proportionality rather than have some overriding significance.

14. In brief, if moral evaluation of deterrent possession of nuclear weapons is approached on the basis outlined at the start of this Note, the case for condemning all strategic use needs to meet a very high standard of proof. The discussion above indicates that it is not established to such a standard. We are therefore not bound to conclude that the strategic use of nuclear weapons, on a basis adequate for the prospect to deter, must be immoral.

15. This Note does not evaluate current Western planning and force provision against the criteria it implies. Much past planning and provision has clearly not had all such criteria closely in mind. In recent years, however, the need has been more and more fully recognised for targeting policies not entailing deliberate attack on populations; increases in weapon accuracy and reductions in explosive yield have helped the shaping of more discriminate options; and as repeated Western proposals for deep cuts in strategic forces show, Western leaders plainly believe that armouries much smaller than present ones could still give stable deterrence.

ANNEX B
NO FIRST USE

1. This Note examines the view that Western interest or morality or both require support for the proposition that within a continuing strategy of deterrence a firm undertaking should be given never in any circumstances to be the first to use nuclear weapons. This has long been advocated by the Warsaw Pact (though its tactical doctrine and training stress pre-emptive action) and has recently been urged by some Western commentators.

2. Two points by way of clarification:

(a) This Note is about "first use," not "first strike." The latter term is by convention used primarily to refer to the concept of a massive pre-emptive operation to destroy or greatly reduce an adversary's nuclear capability. NATO governments envisage no such option; they regard it as impracticable and unjustifiable, and recognise that any attempt to develop it could damage confidence in deterrence.

(b) It is sometimes suggested that NATO has "a policy of first use." This is untrue. NATO has a policy of not accepting the conquest of any of its homelands, and a readiness accordingly, if forced, to do whatever minimum is needed to prevent aggression from succeeding. NATO's "flexible response" strategy envisages resisting if at all possible by nonnuclear means, and NATO has for many years been urging its members to provide resources to maximise capability for such resistance. It recognises, however, that in face of an adversary with the particular strengths of the Warsaw Pact (including major geographical advantage and, it is believed, extensive capability for chemical attack) nonnuclear resistance might be overborne; and planning envisages that NATO should then be prepared, if its political leaders so decided, to use nuclear weapons rather than acquiesce in conquest by a totalitarian aggressor.

3. Consideration of "first use" needs to reflect understanding of what the aim would be of using nuclear weapons, whether first or second. As paragraphs 7-8 of the main commentary explain, the basic strategic purpose of the defender's operations (conventional or nuclear) can only be to induce the aggressor to desist, by placing plainly before him the prospect that continuance will be met not by surrender but by resistance which will sooner or later cost him more than he can afford to lose. Given the two-way fact of boundless force, aggression could have started only on an assessment that the defender was afraid to use his full capability, and would prefer to lose rather than do so. The longer and more resolute the resistance, the more pressure on the aggressor to conclude that this

assessment was mistaken, and that for his own survival (ultimately just as much at risk as that of the defender) he must back off. NATO clearly recognises this central idea—inducing an essentially political reappraisal, not pursuing the mirage of classical military victory—as the centrepiece of its nuclear planning.

4. The concept is an awkward one, involving as it does intentions and judgements rather than neat physical and military facts. No other concept for effective military resistance can, however, be available, and its main difficulties apply ultimately as much to second as to first use. (It is in fact possible to argue, though the point is not central here, that first use in some circumstances could be actually less dangerous and escalatory than second use in others, since in the former there could be at least the possibility that the adversary had been reckoning on avoiding nuclear warfare and that its outbreak would crucially change his appraisal.)

5. The danger of escalation is sometimes cited as a key argument against first use. But escalation is always a possibility and never a certainty; its danger bears on both sides; and it arises with resistance at any level, whether first or second. If the nature of this risk is regarded as an overriding argument against the defender's running it, the only logical conclusion in face of a determined nuclear power is pacifism and willingness to take all its consequences.

6. NATO is keen to avoid first use if possible, and encourages its members to undertake the defence efforts which would be needed (failing new arms-control agreements or otherwise-diminished Warsaw Pact capability) to reduce further the chance of NATO's ever having to address the nuclear decision in face of nonnuclear attack. Nothing in this Note is directed against such policies. But to undertake that the decision would never be taken affirmatively would be precisely equivalent to promising that NATO would let the Warsaw Pact prevail in any aggression, however cynical or far-reaching, that its nonnuclear power could successfully bring off. Given the Pact's military advantages and the uncertainties of war (consider, for example, the unexpectedly sudden defeat of France in 1940), NATO could never make such an outcome to nonnuclear operations impossible—even if the attempt to do so did not provoke an arms race.

7. A "no first use" promise, if believed, would lighten the adversary's perception of risk and so stand to weaken deterrence. Yet it would have done nothing reliable to diminish real risk. Weapons would still exist, and there is no physical way in which they could be made incapable of first use. Western leaders faced with a massive overrunning of their own or their allies' homelands would still have to consider whether to use nuclear weapons; a peacetime promise could not be guaranteed (at a time

when the adversary would have broken many peacetime promises) to be conclusive in their thinking.

8. The prospective defender for its part could not count upon an aggressor's observance of a no-first-use undertaking (any more than the West counts now on Warsaw Pact observance of existing treaty undertakings on no-first-use of any aggressive force and no-first-use of chemical weapons). It could not afford, for example, to have smaller forces, or to leave them more vulnerable, than it would otherwise have done. The adversary might feel similarly unable to rely on the defender's undertaking; but it is then not clear what the exchange of undependable undertakings would have achieved.

9. It is sometimes suggested that though a "no first use" declaration may strictly be defective, NATO should nevertheless make one to stimulate its members to greater effort in providing nonnuclear capability. There is room for doubt whether an East/West exchange of such declarations—which would be presented by both sides as a peaceful step—would make Western electorates more sympathetic to defence spending. But in any event the argument is saying that to make itself do something it believes sensible, NATO should endorse a proposition it knows to be vacuous if not harmful. This cannot be a sound basis for policy.

10. A secondary point is worth noting. If an aggressor did believe a Western undertaking—or at least thought it betokened greater Western reluctance to take timely action—he might feel more able to optimise his force dispositions for nonnuclear attack. Such attack can be helped by close massing of forces; but the risk of nuclear strike upon such tempting targets has at present to be in the mind of an attacking commander, so that his freedom to concentrate is inhibited. If it were not, he might be more likely to prevail quickly at the nonnuclear level, and the "no first use" promise would then have had the perverse effect of lowering the nuclear threshold—the point where a defender must choose between nuclear action and defeat.

11. A final point, more directly ethical. Unless one believes in a morality of reprisal, it is not clear why "first use" should be inherently more wrong than "second use." They are not fundamentally different in nature or in possible consequences; escalation risk, in particular, is not confined to "first use."

12. The underlying reality remains that it is not possible to arrange for major war to be conducted between nuclear powers or blocs without the possibility of nuclear use; and policies which attempt to remove that possibility by declaration are doomed to fail. If they have any effect at all, it may lie simply in the direction of lessening the fear of war, which in current circumstances is mankind's best available protection.