

PERSONAL

Mr Butler Jr



Ref. A084/1191

MR BUTLER

I minuted you about the possibility of publishing Mr Quinlan's essay on the ethics of nuclear deterrence.

2. Mr Quinlan entirely understands the decision Ministers have taken.

3. He has been polishing the text of his essay (and slightly shortening it in the process). He is perfectly happy for anyone who wishes to quarry from the material, but would obviously prefer them to do so from the new version. I am accordingly sending you a copy of the new version herewith. But Michael tells me that it is not sufficiently different to make it worthwhile for somebody who read the first version to plough through the revised version all over again.

REA

ROBERT ARMSTRONG

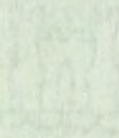
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Outside interests



CONFIDENTIAL



THE ETHICS OF NUCLEAR DETERRENCE : A CRITICISM
OF THE UNITED STATES BISHOPS' LETTER

I - INTRODUCTION

1. In May 1983 the Roman Catholic Bishops of the United States approved an impressive Pastoral Letter* about the theological and ethical problems of international security, particularly nuclear deterrence. The present Note is concerned with a limited though important aspect of that long and wide-ranging Letter. The Letter implies that approval of deterrent possession of nuclear weapons, at least for a while, is compatible with comprehensive condemnation of their use†. A similar view has been expressed by Cardinal Basil Hume, Archbishop of Westminster**. These are powerful Christian teaching voices. The present writer, while welcoming and sharing their acceptance of deterrence, nevertheless believes that their basic analysis (which in apparently condemning all use goes further than any Papal pronouncement) is flawed, and unlikely to provide enduring support for their conclusion.

2. This Note states the central difference between the Letter's position and the writer's (paragraphs 3-5); offers an outline theory of the basic significance of nuclear weapons in potential warfare (paragraphs 6-14); against that background, argues that the Letter's apparently absolute condemnation of nuclear use is mistaken (paragraphs 15-27, and Appendices A and B); and then examines other weaknesses in the Letter's position (paragraphs 28-43).

* The Challenge of Peace: God's Promise and Our Response. (References to the Letter in this Note are to the text as published in "Origins" May 19, 1983 - Vol.13, No. 6).

† In a few passages, were they taken in isolation, the condemnation might seem less than absolute (page 29, first column contains a striking example). The Letter's general thrust is however categoric; and so far as the present writer knows the Bishops generally have not rejected widespread public interpretation in that sense, nor indicated that this is one of the aspects of the Letter to which their qualified disclaimer of overfirm assertion (page 3, first column) particularly applies.

** The Times, 17 November 1983.

The Basic Choice

3. 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 accordingly can be justifiable.
- C. While use must always be wrong, possession for deterrence can be justifiable.

Specific conclusions can be much more diverse, as practical judgements are brought in about, for example, the probability of deterrence failing or an adversary exploiting weakness. But basic approaches must fall within this framework.

4. 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 for the rest of human history as a one-sided option available to the unscrupulous and the aggressive, unconstrained by any countervailing power. Position B has to explain how the use of nuclear weapons could be reconciled with Christian 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 in any circumstances be used. Any one 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 are driven to compare appallingly difficult options, in order to choose which seems on balance to present least difficulty. Adequate and candid evaluation must face comparison. It is not enough to point to difficulties, however serious, in Positions rejected - the difficulties of the Position preferred have also to be acknowledged and weighed.

5. The Letter and the present writer agree in rejecting Position A, and it is accordingly not further considered here. Thereafter, however, the writer prefers Position B, the Letter Position C. This Note argues that the Letter overstates the difficulties of Position B in at least one major respect (that of escalation risk); that it understates and indeed mostly ignores the difficulties of Position C; and that as a result it makes what is probably the worse choice, and certainly not established as the better choice firmly enough to warrant the degree of support conveyed by a Pastoral Letter of such weight and public authority.

II - THE SIGNIFICANCE OF NUCLEAR WEAPONS

6. The Letter misjudges the escalation problem (and the related "first-use" issue) because it appears - alongside, it is fair to recognise, eminent individuals with views spanning all three Positions - not to have sustained consistently a clear enough grasp of what technology has done to the concept of warfare between major powers.
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 sufficiently understand its significance if we see it as just a ghastly intensification of the human horror of war. It did something radical and fundamental at a colder level of analysis: it carried the potential of warfare past a boundary condition at which many previous concepts ceased to have meaning.
8. The combination of the explosive power of nuclear weapons 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 has in the past been the central professional idea in military contest - to deprive the adversary of the strength or the reach to land effective blows, as with the defeat of Hitler - simply ceases to apply; an all-out competition of strength between infinitely strong adversaries is logical nonsense. We have arrived at the reductio ad absurdum of war capability. This situation gives the deterrent impasse great stability; it may also make less surprising the fact noted in paragraph 4 above that ethical choices present extreme dilemmas.
9. In this new situation, a nuclear superpower or alliance attacking another can rationally do so only on a judgement that the other will at some point give way without using his full strength; and if war results the rational aim of each side (short perhaps of any final blow) can only be to induce the other to desist while still having the physical capacity to continue. To the limited extent that the concept of victory still has meaning,

that is its essential criterion; however awkward we may find it, no other can be available.* Moreover, because events thus depend ultimately not on physical limits but on human choices among alternative courses, 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.

10. Furthermore, what is said in the preceding paragraph applies to all war between nuclear-capable adversaries. Though we can recognise sub-divisions of the spectrum of force, and concepts like "thresholds" and "fire-breaks" can be useful, no conceptual boundary could be reliably secure amid the stresses of major war between East and West; we could never be sure in advance that war would be halted at the nuclear threshold. Escalation is far from certain, as paragraphs 16-25 below explain. But given the commitment and resolve nations bring to major war, the passions a massive conventional conflict would have aroused, the deep hostility between opposing political and ethical systems and the power of nuclear weapons to overtrump lesser ones, we can never take it as certain, whatever may be said beforehand, that losers will accept non-nuclear defeat and conquest in obedience to treaties or promises. Even if all nuclear weapons had been scrapped (and no-one now has any notion of how to achieve that) there could never be assurance that an aggressor like 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 counter-preparation. In brief, we can never count on sealing nuclear weapons off safely from lower levels of war between great powers. Their potential is not an external adjunct to the spectrum of military force; they form part of it, infecting and transforming the whole.

* Those 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, share a fundamental error. The criterion from past warfare which both are implicitly using has become unreal, as Western Heads of Government have clearly recognised.

1. 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 degree of probability, is regarded as 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 kind of military resistance could expect to prevail against nuclear power, the efficacy and even the morality of lesser resistance come into grave question; we are driven towards pacifism in face of any determined nuclear adversary.)

The Timescale of Change

12. There is an undertone in the Letter, made more explicit in Cardinal Hume's article, that the acceptance of deterrence can be a short-lived affair, the moral and logical discomforts of which are tolerable because we can sensibly expect, and indeed must plan, to escape from them in some reasonably near timescale. (All earthly affairs are no doubt "for the time being", but plainly neither Letter nor article means temporariness in so extended a sense.)

13. Early and radical transformation of the international security scene is not wholly impossible. The real probabilities, however, do not make expectation of early escape from the circumstances which now make deterrence necessary look at all dependable. Those circumstances are, in essence, 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 broadly adumbrated) to secure agreement to the abandonment of all the five nuclear armouries now evident, and to put in place dependable 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 equivalent effect with much lesser weapons. We should be able to carry further the process, already begun by NATO, of changing the

mix between nuclear and other weapons in deterrence; but the notion of a completely "conventional" deterrent system, in face of actual or potential nuclear power, is unreal. Nor is there much likelihood - and certainly no assurance - of success in efforts to construct purely defensive systems of the very high reliability and effectiveness needed to be sure of reducing the damage of a heavy nuclear attack to such low levels 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 such divergences of political outlook 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 nations a possibility with which individual states need no longer reckon.

The Second Vatican Council said* :-

"So long as the danger [of war] persists and we have no competent international authority equipped with adequate force, it will not be possible to deny governments the right of legitimate self-defence ..."

There is no evidence upon which we can expect that the provisos there stated will soon cease to apply.

* 1963: Gaudium et Spes n.79

14. All this does not mean that deterrent confrontation between profound adversaries must be accepted as mankind's guarantee of security for the rest of time; or that deterrence must always have the form and scale it has now; or that the Soviet Union must remain a harsh and closed totalitarian state. None of these conditions can command Christian contentment. The discussion does however suggest, first, that we cannot base our ethical analysis (or our acceptance of an unsatisfactory analysis) on expectation that the main features which make deterrence necessary will be shortlived; and second, that the prime route towards escaping that necessity has to be through modifying political relations rather than abolishing nuclear possibilities. Rhetoric which suggests that arms control and disarmament efforts can do the latter is not founded in reality; it is a disservice to and 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

15. Those who, like the present writer, believe that the use of nuclear weapons* might in some circumstances be justifiable have to face two main difficulties. The first is how any "final" strategic blow heavy enough for the possibility of its delivery to underpin the structure of deterrence could avoid being too indiscriminate and disproportionate to be morally tolerable. The second concerns risk that any use of nuclear weapons might precipitate an uncontrollable process leading to an intolerable outcome. The Letter notes both difficulties but make more of the second, and this Note accordingly concentrates on that. (Some comment on the first, which the present writer regards as the more formidable, is however offered at Appendix A).

Escalation

16. 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 in support of this view, though its language is at times[†] more confidently assertive about probabilities than most of the sources quoted were (let alone other possible sources, of different opinion). But this is in any event a field where the welcome absence of evidence on nuclear warfare needs to make us especially wary of resting on appeal to expertise; we have to think matters through clearly and rigorously for ourselves.

* The Letter is not concerned, nor is the present writer, with narrowly-specified uses like ballistic missile interception and anti-submarine warfare, or single-shot "no-target" demonstrations. Deterrence cannot be built on these alone.

[†] For example page 13, third column, and page 14, third column.

7. Escalation refers to the familiar fact that, in situations of competition or conflict, actions by one side are likely to induce reactions by the other, particularly in order to recover advantage or redress disadvantage; and that in war this process may progressively heighten the level and intensity of fighting. Escalation starts when fighting starts, not just if or when nuclear fighting starts. The customary concern however is primarily with what may happen if nuclear weapons are used - is retaliation certain? and is the process capable of being halted short of full strategic nuclear war?

18. Two basic points about these questions should be recognised at the outset. The first is that we do not know the answers with certainty; and anyone - however distinguished - who asserts or implies that we can be sure or nearly sure either way cannot be on good ground. Nor can we ever measure the probabilities in any neat fashion. No-one knows with certainty how politicians and soldiers will react in the unprecedented situations in question. Escalation is a matter of interactive human choices; it is neither a physical process like a chemical chain-reaction nor a set of random events like outcomes on a gambling machine. We have to consider it moreover in terms of real human and political circumstances, not just as a matter of military or technical mechanics. And the second point is that the possibility could arise in an immensely wide variety of ways, of quite different characteristics. Assertions which claim universal predictive authority about escalation risk across all this wide range of possibility are very unlikely to be well-founded; and so, a fortiori, are deductions and evaluations purporting to rest on such assertions.

19. It is easy to see reasons why we should fear escalation - the confusion of war; its stresses, anger, hatred and the desire for revenge; reluctance to accept the humiliation of backing down or losing; the desire to get further blows in first. Given all this, the risks of escalation are grave. But this is not to say that they are virtually certain, or even necessarily odds-on; still less that they are so irrespective of the wide variety of possible circumstances in which the situation might arise, in a nuclear world to which past experience of war is only a limited 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 interest in composing their differences; the human pressures in this direction would be very great.

20. Even if initial use did not thus immediately end conflict, the supposition of inexorable momentum in a developing exchange, with each side rushing to hasty over-reaction 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 would have in reserve forces invulnerable enough not to impose "use or lose" pressures. As a result, neither could have any predisposition to suppose, in an ambiguous situation, 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, sophisticated or pre-concerted rationality; the rationality required is at a very plain and simple level.

21. 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 paragraph 9 above. Suppose there has been a major Soviet aggression to annex or command the homeland of a NATO member or to throttle its lifeline (and the West does not seek to justify the possession of nuclear weapons for any lesser events). Given the size and destructive power of the Western nuclear armoury, the Soviet Union could have embarked upon the conflict only on a judgement that the West lacked the will to use it, or at least to use it fully. If the West used nuclear weapons (whether first, or in response to Soviet first use) this judgement would begin to look shaky. There must be a substantial possibility - perhaps increasing rapidly as and if the level of "homeland" attack was approached - that they would conclude that the initial judgement had been mistaken and that for their own survival they must call off the aggression. NATO's plans in respect of nuclear weapons are directed entirely in the first place to preventing the initial misjudgement and in the second, if it is nevertheless made, to bringing about precisely this sort of re-appraisal. The former aim must have primacy, because we can never be sure that the latter would work. But there is no rational basis for assuming in advance, in relation to all possible scenarios, that the chance of its working is minimal. The Soviet Union would itself be at huge risk if conflict continued, as its human decision-makers would know.

22. It may be alleged, against this line of argument, that a policy which abandons hope of actually defeating the enemy and simply hopes to get him to desist is pure gamble, a matter of who blinks first; and that the inherent nature of the Soviet Union makes it rather the less likely to blink. One answer to this is to ask what is the alternative - it can only be surrender (and the Letter signally fails to confront this alternative). But a more positive and hopeful answer lies in the fact that the criticism is posed artificially, in a political vacuum. Real-life conflict would have a political context. That which concerns NATO is one of defending vital Western interests against an aggressor whose own vital interests are not engaged, or less engaged. While certainties are not possible, a credible 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 clear and shared understanding on both sides about where limits lie. In Europe, at least, this has been substantially achieved (witness Western acceptance that military intervention to aid Hungarian, Czechoslovak and Polish uprisings could not be an option). Elsewhere the work is less universally set, but it continues. If vital interests have been successfully defined in a way that is clear, and also clearly not overlapping or competing with the adversary's, then a legitimate and credible basis has been laid for the likelihood of greater resolve in defence before and even during conflict.

23. It is also sometimes suggested or implied that, whatever theoretical discussion in terms of political will and objectives may suggest, the military mechanisms of nuclear warfare, and particularly difficulties of communication and control, would drive escalation with overwhelming probability to the limit. But though eminent people can be cited to this general effect, it is nevertheless obscure why matters should be regarded as inescapably so for every possible level and setting of action. Neither side can want inexorable escalation; why should they be supposed permanently incapable of framing arrangements which avoid it? At least on the Western side, military commanders have no delegated authority, in peace or war, to fire nuclear weapons without specific political direction; many Western delivery systems moreover have physical safeguards incorporated to reinforce organisational ones; and there are multiple communications systems for conveying 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 somehow 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 fail-safe principle - no authorisation, no use. If existing arrangements be judged in some respects not to meet the general standards sketched above, the logical course must surely be to continue to improve them rather than to assume escalation to be uncontrollable, with all that flows from such an assumption.

24. The probability of escalation can never be 100 per cent, and never zero. Where between those two extremes it may lie is incalculable with precision in advance; and even were it calculable it would not be uniquely fixed - it would stand to vary hugely with a very wide range of particular circumstances. That there should be any risk at all of escalation to widespread nuclear war is of course profoundly disturbing. But the Letter's condemnation of all nuclear use cannot appeal simply to the fact of risk irrespective of its particular magnitude, for the Letter's own position entails some risk of escalation, requiring 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 positively essential to a key objective of that position, for if weapons cannot be used they cannot deter.

25. 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 heavily on both sides in conflict, reasonably be regarded as imposing an absolute duty of abstention on one side alone irrespective of any other consequences. The risk of escalation would plainly have to be considered most anxiously by decision-makers in the event, and it is without doubt a serious difficulty for those who would regard nuclear use as potentially legitimate in some circumstances; but it cannot 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 of the present note seeks to tackle that omission.

26. It is worth pausing briefly on the closely-related subject of "no first use". The tone of the Letter's treatment of this is slightly surprising. "No first use" is explicitly mentioned early in the Letter* as an example of a matter on which the Bishops do not seek to be firmly prescriptive. "No first use" is however a lesser included case - arguably even an a fortiori case - within a wider "no use" conclusion, and cannot in logic be entitled to be less assertively proposed than that wider conclusion. Yet there is little or no hint in the language of the Letter that the general "no use" conclusion is to be seen as tentative or lacking in full confidence of judgement.

27. The substance of the "no first use" issue is addressed in Appendix B to this note. Briefly, however, the Letter's wary espousal of an absolute "no first use" rule seems to rest partly on the inadequate view of escalation already discussed, and partly on a failure to think through or acknowledge what its practical consequences might be. In this latter respect it exemplifies one of the general weaknesses of the Letter's position, further discussed in paragraphs 30-34 below.

* Page 3, first column.

IV - THE DEFECTS OF THE LETTER'S PREFERRED POSITION

28. The essence of the Letter's position on nuclear weapons is "possession for deterrence legitimate now, use always wrong". It is remarkable, and surely a serious defect, that the Letter nowhere explores the basic difficulties - indeed, nowhere even admits clearly that there are such difficulties - inherent in this stance, which is on any view a novel and unprecedented one in the pattern of Christian ethical tradition.

29. There is arguably a fundamental logical and ethical incoherence in the idea of deliberately maintaining a capability of action which must however never in any circumstances be used. This is discussed further in paragraphs 40-43 below. Most of the present section concentrates however on three major difficulties of a more concrete kind:-

- (a) The Letter's position implies that if deterrence fails and non-nuclear resistance is then overborne, it is the unqualified duty of the defender to accept defeat.
- (b) The Letter's position implies that deterrence based upon an admitted bluff will indefinitely remain durable and dependable.
- (c) The Letter's position requires the many thousands of individuals directly involved in sustaining deterrence to devote their working lives to a schizophrenic task.

These three difficulties are considered in turn below.

The Duty of Surrender

30. By its rejection of all nuclear use the Letter inescapably conveys - though it nowhere acknowledges - 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 rather than use nuclear weapons. The Bishops neither state nor hint at room wherein practical judgement of circumstances or consequences can be permitted to qualify this categoric rule. It is apparently to hold

- however coldly cynical the aggression;
- however appalling as a system of Government the aggressor state may have proved itself to be;
- however sweeping the conquest in prospect;
- whatever the armaments used in the attack (nuclear, chemical, biological) to overbear the defender's non-nuclear resistance;
- and for all human history to come. Even if the deterrent bluff (for bluff, at best, is what the Letter's position unavoidably implies) has once been called and so proved ineffective, no stronger form of nuclear deterrence will thereafter ever become legitimate.

31. In short, the Letter conveys that use of nuclear weapons must if necessary be left, for the rest of time, as a onesided option available only to the unscrupulous. Given the overwhelming coercive power which such use would provide if unmatched by any truly-usable countervailing power, this is an assertion of remarkable magnitude and gravity, especially when it is purportedly established simply by the elimination of alternatives and not by any direct examination.

The Credibility of Deterrence

32. If the Letter's position is generally accepted by the West (and since the Bishops put it forward 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 any use would be publicly declared and sincerely meant as categoric and settled Governmental policy. The Letter implies that deterrence would still be adequately credible, since an adversary could never be absolutely sure that the armoury would not be used.

33. The credibility of deterrence is not precisely calculable, nor is it fixed. A "no use" declaration would be bound to have some weight in an adversary's calculation of likely Western reaction to attack; and that weight could only lie in the direction of reducing in some degree his estimate of the probability of nuclear response, and so the firmness of deterrence. The reduction however would be unlikely to be of decisive magnitude in the near future, or in global circumstances otherwise like today's.

34. However, as paragraphs 12-14 above have argued, Western deterrence may have to last a long time, perhaps through many shifts of world political setting, amid new pressures and changing Governments. The Bishops not only expect the "no use" policy to be disbelieved; they must positively want it to be disbelieved, for if it is believed deterrence cannot work. Yet there must be a significant risk that, in time, the efficacy of this strange stance would falter - that an adversary would act on a judgement that Western will to use nuclear weapons (a decision difficult enough, after all, even without a sincere conviction that it must never be taken) was faint or indeed, as the West would have been consistently declaring, non-existent.

35. That risk would surely be significant even if the West proved capable of adhering consistently, within the ethical and intellectual framework the Letter recommends, to the effective maintenance of a powerful and ready nuclear armory. If however that proviso were not met - and paragraphs 36-39 below argue that it may well not be - the decay of deterrence could accelerate rapidly.

The Burden on Participants in Deterrence

36. A nuclear armory credible in deterrent effect is not provided by a once-for-all and irrevocable act undertaken, for good or ill, in the past; it requires constant new actions, for example in modernisation, maintenance and training. It is also not just an assembly of inert material over which the personnel involved sit passively like storekeepers guarding an inventory. It requires, if it is to be capable of use and therefore of deterrence, 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 extraordinary difficulty which their general rejection of nuclear use* poses for such people.

37. What that rejection, alongside the acceptance of deterrent possession, means is that personnel involved in possession are invited and indeed required to prepare to do certain things - often very concrete and specific things, like choosing targets and rehearsing weapon launch - which they are not merely (as now) hoping they will never have to do but must actually resolve that they will never in any circumstances do. The Letter nowhere admits that this is an extraordinary demand to make, nor considers the consequences if - as must surely be possible if the Letter's view came to command the acceptance which the Bishops presumably desire - a large and growing number of the individuals concerned came to feel that their task amounted to living a lie or deliberately courting an absolutely immoral risk, and that they could not continue to dedicate to it their working lives and whole-hearted personal commitment.

38. The difficulty also goes wider in democracies where security policies, to be dependably effective, must command a certain level of general public assent. It is open to question whether an ethical position as strained, complex and unprecedented as the Letter recommends could lastingly sustain such assent.

* Notably, it is precisely in this section that the wording seems most markedly to dilute the general rejection, by observing (Page 29, first column) "In this Letter we have ruled out certain uses of nuclear weapons ..."

39. In short, it is at best gravely questionable whether the stance proposed by the Bishops in respect of a deterrent nuclear armoury could durably underpin the national and personal commitment without which credible deterrence must inevitably decay.

The Logical Incoherence

40. These difficulties reflect a basic reality: that the Letter's stance is at root incoherent, a claim to square a circle. It amounts in logic (given the reality of the East/West situation or any future such situation) to pacifism artificially partnered by an admitted charade of the contrary.

41. 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 attempted* between deterrent capabilities and warfighting capabilities has in a strict sense no meaningful basis (unless warfighting is misequated with classical warwinning). We may put the matter another way. The concept of deterrence cannot exist purely in the present; it inevitably contains a reference forward to future action, however contingent. The reference need not entail automaticity, or firm intention linked to specific and defined hypotheses; it need entail no more than a refusal absolutely to rule out all possibility of use; but it cannot entail less than that.

42. Inescapably, the Letter's stance recommends on the one hand the preparation of a capability usable only to commit sin, 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 massive untruth; either the preparation is bogus or the renunciation is insincere. The nature, and indeed the positive intent, of each is to convey a message directly contrary to that purportedly given by the other; the concept seeks deliberately and essentially to imply what it explicitly denies. To present such a stance as the right solution to a crucial ethical dilemma seems an intellectual absurdity.

* For example (by clear implication) on the Letter's page 18, foot of first column.

43. In essence, the Letter seeks to avoid the bitter choice between abandoning deterrence and allowing nuclear use to be potentially legitimate. In a matter of such agonising difficulty for the Christian conscience, the attempt to "have it both ways" is understandable and not dishonourable; but it fails. Position C of paragraph 3 simply falls apart under scrutiny.

V - CONCLUSION

44. This Note has argued that in a limited yet crucial respect - the basis for legitimate possession of nuclear weapons for just security - the Pastoral Letter has rejected the more natural concept, for reasons insufficient to bear the grave weight placed upon them; and that it has apparently then, by elimination and not after positive examination and comparison, espoused an alternative theory of bizarre character, no logical coherence and grave practical implications. This Note in no way suggests that any answer is easy amid the unparalleled moral dilemmas which nuclear weapons pose. Its contention however is that if the Bishops - whose views on these matters inevitably have an importance reaching out beyond their own country - are rightly construed as having made a choice between theories, they have made a poor one, to which any further commitment of their teaching authority would be imprudent. The Letter speaks wisely of continuing the new appraisal of war and peace. It is earnestly to be hoped that the Bishops, in participating in that endeavour, will themselves be open to candid reconsideration of the issues here reviewed.

January 1984

MICHAEL QUINLAN

THE STRATEGIC USE OF NUCLEAR WEAPONS

1. The judgement is often accepted, whether readily or reluctantly, that no strategic use of nuclear weapons - more exactly, no use extensive enough for the prospect to provide adequate last-resort underpinning for Western deterrence of a potential aggressor super-power - could be legitimate in Christian ethical terms.

2. The present Appendix considers that judgement from a particular standpoint based on three beliefs, not themselves here argued out:

- (a) that East/West deterrence based on the possession of nuclear weapons is a highly stable safeguard of peace and thus, for the West, of freedom; in other words, that provided we continue to make sensible plans and provision the likelihood of our ever having to face the choice between nuclear action and submission to major totalitarian aggression is remote;
- (b) that any alternative security system involving Western abandonment of nuclear weapons would involve 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.

From this standpoint, the moral judgement described in paragraph 1 above would have consequences so grave that it should not be accepted as firm unless it is plainly established as inevitable in all reasonably conceivable circumstances.

3. This Appendix takes it as given that nuclear attack whose true purpose is essentially the general destruction of population and property, without substantial regard for combatant/non-combatant distinctions, could never be justified, even in retaliation for similar attack.

4. The judgement in paragraph 1 tends to rest on some or all of these arguments:

- (i) that nuclear action would certainly kill non-combatants, even if that were not part of its deliberate 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 use could be brought within ethically tolerable limits in respect of discrimination and proportionality, it would certainly or with overwhelming probability trigger further reactions exceeding those limits;
- (iv) that radiation from fall-out kills in a way so certain, so far-flung and so long-term that it must be regarded as lying beyond any reasonable view of "unintended collateral effect" as envisaged in just-war theory.

5. Argument (i) is incontrovertible. There are specialised uses of nuclear weapons - as in the anti-ballistic-missile or antisubmarine roles - which (aside from the limited fallout inevitable with any non-buried explosion, because of the material of the device itself) might cause no non-combatant casualties; but no such use or combination of uses could constitute a penalty serious enough for the prospect reliably to deter. But the certainty of harm to non-combatants does not, in itself and irrespective of degree and of proportion to other effects, mean that action entailing it cannot be licit. 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 Christian analysis has tolerated this within the double-effect concept.

Argument (ii) is both more central and far more disputable. It involves considering, firstly, what damage to objectives that might legitimately be attacked might suffice, in prospect, to deter a potential aggressor; and secondly whether, if such damage were inflicted, the collateral harm to non-combatants likely to accompany it could ever be judged a lesser evil than letting the aggressor prevail.

7. The first of these questions requires us, in effect, 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 ultimately on the particular circumstances and vulnerabilities of a potential aggressor state and upon the value-judgements of its leaders. But it is perhaps instructive to consider the West's own complex modern societies, and to ask whether one could conceive of types of nuclear attack which, without wholesale assault on cities, would still leave us too preoccupied with reconstruction and social cohesion to have either will or capability for avoidable military enterprises abroad on a large scale. Plainly one can; and even when allowance is made for the possibility that a totalitarian state would have a different tolerance level, it must still be conceivable that attacks not essentially counter-population in character could nevertheless - for example by dislocating or distracting economic effort, by shaking the structure of political control and acquiescence, or by attenuating military capacity for external conquest and occupation - render such a state highly unlikely to be able or willing to continue global military aggression. (It is not however supposed in this Appendix that "counter-force" attack, in the semi-technical sense of attack which seeks to neutralise an adversary's nuclear capability before it can be used, is a realistically feasible option, or that pursuit of ability to execute it would be other than unhelpful to confidence in stability.)

8. Nevertheless, even with the restraints of targetting policies which did not envisage direct attack on populations as such and regarded the minimisation of civilian casualties as a positive and major consideration, the collateral harm to non-combatants could well run to very large numbers of deaths, immediate and longer-term. (This might well be likely also of major war with modern non-nuclear weapons.) The second of the questions in paragraph 6 above - proportionality - then arises.

9. Deaths on a huge scale would be an appalling human calamity. But proportionality is a matter involving not one magnitude only but the relationship between two (and indeed also between their probabilities of occurrence). World conquest or domination - even for a short period, like the few years of Nazi Germany's conquests - by an extremist totalitarian tyranny such as those of Hitler or Stalin would also be an appalling human calamity. Each of these was responsible, within at most a decade or two and a limited geographical sway, for tens of millions of deaths and for immeasurable other loss and suffering. Whatever we think of present regimes, the political structures and historical traditions of totalitarian states rarely guarantee their neighbours that they could never assume the malignity of, say, the Stalinist system. The calculus 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 in the scales, as the Letter by implication recognises*. The price of defeating Hitler was enormous - many millions of lives, including a substantial proportion of non-combatants - yet most Christians would agree that it was not disproportionate. 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 to 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 7 above indicates that the disablement of the aggressor need not automatically be assumed to involve such a penalty.

* Page 11, first column.

10. The reasoning may be summarised another way. 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 non-combatants is less than the evil expected if the aggressor prevails. There seems no evident reason to conclude that there could in no circumstances 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 to loss, the greater we imply to be his inhumanity and therefore the harm from letting him prevail.)

11. One can illuminate the question from a further angle. Suppose, artificially, that major aggression by a tyrannical regime could be frustrated by counter-action which would inflict a hundred unpurposed non-combatant deaths. Almost everyone would agree that this was ethically tolerable. At the other extreme, almost everyone would agree that a hundred million non-combatant deaths would in any circumstances be disproportionate. Where exactly, along the immense spectrum between a hundred and a hundred million, the crossover point between proportionate and disproportionate would fall would be a difficult assessment, depending upon judgement which would stand to vary widely with circumstances, such as the particular nature and record of the aggressor state. But in principle there must be a cross-over 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, especially if planning did not assume (as it need not and should not) the automatic use of the full capability in circumstances falling short, either militarily or politically, of the worst cases to which force provision had been geared.

12. Certain subsidiary points may merit notice:

- (a) A deterrent policy on the basis of paragraph 7 above does not depend on the adversary's having a similar policy. It could still be adequate even if his were based on massive counter-population strike. Deterrent sufficiency 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 can expect to gain. The situation envisaged is not a "zero-sum" one.
- (b) Even if, as is morally essential, collateral deaths are truly unpurposed - that is, if the targetting seeks to achieve its result without them, and to keep their numbers to the minimum - the prospect of them may well contribute to deterrence; and this does not morally invalidate the concept.
- (c) An aggressor (particularly a totalitarian leadership perhaps judging others by its own standards) might never feel able to rule out the risk that, whatever the defender's declared policy, a different strategy might be adopted amid the pressures of war (especially if the aggressor himself 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 morally invalidate the possession of weapons.
- (d) The reasoning in paragraph 9 about proportionality implies that if deterrence failed moral judgement would still remain to be made about whether the particular circumstances warranted the execution of nuclear strike plans (and if so on what scale). Pure automaticity would not be justified; nor does deterrence logically require it.
- (e) The concept of strategic strike implied in paragraph 7 might well never warrant anything like the all-out committal of warheads in the many thousands of which present armouries appear capable. Evaluation of how large armouries ought still to be in conformity

with the paragraph 7 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 or executed, the calculation of holdings to support such a capability might justifiably allow conservatively (i.e. on the upper side) for factors like the size of the opposing armoury and its capability in an optimally-timed pre-emptive strike; unserviceabilities; defensive capabilities and their possible development; changes in target sets; and technological surprises. The outcome might legitimately prove to be several times X.

- (f) This note is concerned only with the case where a totalitarian adversary is the military aggressor. The ethical argument for permitting Western possession of nuclear weapons does not look for justification in any other case.

13. The next component from paragraph 4 is argument (iii) - the matter of adversary response. This may be considered from two aspects, theoretical and practical. In ethical theory, it is not clear that further immoral reactions by an aggressor, however confidently conjectured, must form a decisive element in assessing the ethical status of the victim's chosen 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 moral duty - as distinct from being her right if she chooses - to submit to rape if she believes that resistance would lead to worse. In practical prudence it would plainly be natural and reasonable 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 indicated in paragraph 7 would inevitably precipitate an unlimited countercity attack by the adversary (the point in paragraph 12(c) is relevant here). It seems far-fetched therefore to claim that opinions - inevitably uncertain - about how an unjust aggressor would react to our (ex hypothesi) legitimate resistance must absolutely disallow in advance the option of such resistance.

14. Argument (iv) of paragraph 4 concerned radiation effects. These (especially perhaps genetic damage) are without doubt particularly grave and particularly repugnant, and our lack of sure knowledge about them imposes an extra duty of prudence. Yet there seems no reason why they should be regarded, for the purposes of moral evaluation in relation to proportionality and discrimination, as fundamentally different from other kinds of collateral harm to non-combatants. They would certainly cause non-combatant suffering and death, and long-term harm; but so, in any ordinary sense of certainty, would any major modern war even if radiation effects did not exist. Suppose, artificially, that we knew that the undesired non-combatant deaths from radiation caused by the nuclear defeat of a neo-Hitler would number ten, or a hundred? We would surely not say that this would in itself render that nuclear defeat an immoral enterprise. The implication must be that radiation deaths fall to be taken into the assessment of proportionality rather than having some overriding significance in moral evaluation.

15. To summarise, if ethical evaluation of the deterrent possession of nuclear weapons is approached from the judgmental standpoint of paragraph 2, the proposition in paragraph 1 should be accepted absolutely only if it meets a very high standard of proof. The discussion in paragraphs 5-14 of the arguments for it listed in paragraph 4 indicates that it is not established to such a standard. In short, we are not bound to conclude that the strategic use of nuclear weapons, on a basis adequate for the prospect to deter, would inescapably be immoral.

16. This Appendix does not attempt to evaluate current Western planning and force provision against the criteria implicit above. It seems clear that much past planning and provision has not had all such criteria closely in mind. It is also clear, however, that in recent years the need has been more and more fully recognised for targetting policies which do not involve deliberate attack on populations; that the marked increases in accuracy and reductions in average explosive yield within strategic armouries have facilitated more discriminate options; and that (as, for example, repeated Western proposals for deep cuts in strategic nuclear forces illustrate) Western leaders believe that adequate deterrence could be provided by armouries considerably smaller than present ones.

"NO FIRST USE"

1. This Appendix examines the argument that Western interest and Christian ethical considerations point conclusively to support for the proposition that - within a continuing basic strategy of deterrence - a firm undertaking should be given that the West (and the East, for that matter) would in no circumstances whatever be the first to use nuclear weapons. This proposition has long been urged in political utterances by the Soviet Union (though its military tactical doctrine and training actually stress pre-emptive action) and has more recently been vigorously taken up by some Western commentators.

2. Two points by way of initial clarification:

(a) This Appendix is about "first use", not "first strike". The latter term is now normally used, by strategic-studies convention, primarily to refer to the concept of a massive pre-emptive operation designed to wipe out or markedly attenuate an adversary's capability for nuclear action. NATO nations in no way envisage such an option; they regard it as both impracticable and unjustifiable, and recognise that any attempt to acquire a capability for it could be damaging to the stability of 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 necessary to prevent aggression from succeeding. NATO's "flexible-response" strategy envisages resisting if at all possible by non-nuclear means, and NATO has for many years past been urging its members to provide resources to maximise capability for non-nuclear resistance - that is, to heighten the "nuclear threshold". NATO recognises however that in face of an adversary with the particular advantages and strengths

of the Warsaw Pact (including, it is believed, extensive capability for offensive use of chemical weapons) non-nuclear resistance might be overborne; and planning envisages that NATO should then be prepared, if necessary and 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 be set in a framework of understanding of what the aim would be of using nuclear weapons, whether first or second. For reasons indicated in paragraphs 8-9 of the main Note, the only possible basic purpose of the defender's operations (at either the conventional or the nuclear level) must be to induce the aggressor to desist, by placing plainly and credibly before him the prospect that continuance will be met not by surrender but by resistance at a level which will sooner or later cost the aggressor more than he can afford to lose. Given the two-way fact of boundless force, the aggressor could have embarked upon aggression only on an assessment that the defender was afraid to use his 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 initial assessment was mistaken, and that for his own survival (which is ultimately just as much at risk as that of the defender) he must back off. NATO clearly recognises this central idea - the aim of inducing an essentially political reappraisal, not pursuing the mirage of classical military victory - as the centrepiece of its nuclear planning.

4. The concept is without question an uncomfortable one, involving as it fundamentally does intentions and judgements rather than neat physical and military facts. No other concept for resistance can however be available; and the main difficulties in it apply ultimately as much to "second use" as "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 less escalatory than "second use" in others, since in the former there would be at least the possibility that the adversary had been reckoning on avoiding nuclear warfare and that its outbreak would in itself crucially change his appraisal.)

The danger of escalation is sometimes cited as a key argument against "first use". But escalation is always a possibility and never a certainty; the danger of it bears upon both sides and both must reckon with it; and it arises with any act of resistance, at any level, and 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. As paragraph 2(b) above has noted, NATO is keen to avoid first use if possible, and encourages its members to undertake the increased defence expenditures which would be needed (failing new arms control agreements or otherwise-reduced Soviet capability) to reduce further the chance of NATO's ever having to address the nuclear decision in face of non-nuclear aggression. Nothing in this Appendix is directed against policies of such a thrust. But to give a formal and binding undertaking in advance that the decision would never be taken affirmatively would be precisely equivalent to telling the Warsaw Pact that NATO would undertake to let them prevail in any aggression, however cynical or far-reaching, that their non-nuclear power could successfully bring off. Given the military advantages of the Soviet Union and the uncertainties of war (consider for example the unexpected defeat of France in 1940) there is no way in which NATO could make such an outcome to non-nuclear operations impossible - even if the attempt to do so did not, as it might, provoke an arms race.

7. The result of a "no first use" promise, if the adversary believed it, could only be to weaken deterrence by lightening the adversary's perception of risk. Yet at the same time it would have done nothing reliable to diminish the real risk, on either side. Weapons would still exist, and there is no physical way in which they could be rendered incapable of first use. Western leaders face to face with a massive military overrunning of their own or their Allies' homelands would still have to confront the issue of whether to use their nuclear armouries; a peacetime promise could not be guaranteed to be conclusive then in their thinking.

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

9. It is sometimes argued that though a "no-first-use" declaration viewed in isolation may be defective on grounds such as those reviewed above, NATO should nevertheless make one in order to serve as an incentive to its members towards greater effort in providing non-nuclear forces. There is room for doubt whether an East/West exchange of such declarations - which would undoubtedly be presented politically by both sides as a peaceful step - would really be likely to make Western electorates more sympathetic towards defence spending. But even if this is set aside, the argument is in effect saying that in order to make itself do something it believes to be sensible NATO should subscribe to a proposition it knows to be vacuous if not harmful. This does not seem a sound basis for policy.

10. One secondary but not unimportant technical point is worth noting. If an aggressor did believe a Western undertaking - or, perhaps more probably, did not absolutely rely on it but thought it betokened some further increase in Western reluctance to take timely action in face of attack - he might feel rather more able to optimise his conventional force dispositions for non-nuclear attack. Such attack is helped by close massing of forces like heavy armour; but the possibility of nuclear strike upon such tempting targets has 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 non-nuclear level; and the "no-first-use" promise would then have had the perverse effect of lowering the "nuclear threshold" - that is, the point where a defender faces the choice between nuclear action and surrender.

11. A final point, more directly ethical. Unless one believes in a morality of simple reprisal, it is not at all clear why "first use" should be regarded as inherently and invariably more wrong than "second use". They are not obviously in fundamentally different categories of action, either in nature or in likely consequences; the escalation possibility, in particular, is not confined to "first use".

12. In all this, the underlying reality remains that while nuclear weapons exist it is simply not possible so to arrange matters that major war can be safely conducted between nuclear powers or blocs without the possibility of their use; and policies which attempt to remove that possibility by declaration are doomed to fail. If such policies have any effect at all, it may lie simply in the direction of lessening in some degree the fear of war, which in current circumstances is mankind's best available protection.