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Nuclear Weapons in a Changed World: the Hidden Dangers of the Rush to War

With the United States at war in Afghanistan and contemplating a wider conflict, it is important to consider carefully the risks to humanity posed by modern warfare. Among the gravest of these risks is the possible use of nuclear weapons, by the United States or by some other country or group.

U.S. officials already have explicitly refused to rule out the use of nuclear weapons in the conflict that now has begun.¹ There are a number of circumstances in which it is all too foreseeable that U.S. political and military decision makers would decide to use nuclear weapons. Nuclear weapons doctrine statements and other military planning documents clearly show that the U.S. would consider using nuclear weapons not only against other countries armed with nuclear weapons but against “non-state actors” or “terrorists.”² U.S. nuclear weapons use would be most likely if the U.S. were attacked with a chemical, biological, or nuclear weapon of mass destruction. Any further highly destructive attack on the United States, whether with weapons of mass destruction or some other means, could so intensify the climate of fear and rage that those in the government who favor responding to terror with greater terror might prevail. Finally, the United States might use one or more relatively small nuclear weapons either to attack difficult to destroy targets such as mountain caves or tunnels, where military planners believed it could be done without killing large numbers of civilians. This last possibility would become more likely in the event of either military setbacks resulting in

large numbers of casualties abroad or further catastrophic attacks at home; either eventuality could weaken the perceived “firebreak” between conventional and nuclear weapons use.

U.S. Nuclear Weapons Doctrine: Many Missions, Varied Targets

U.S. nuclear weapons doctrine explicitly provides for targeting of “non-state actors,” particularly where they are suspected of possessing weapons of mass destruction—chemical, biological, or nuclear weapons:

As nations continue to develop and obtain WMD and viable delivery systems, the potential for US operations in such a lethal environment increases. In addition to proliferation of WMD among rogue states, *proliferation may also expand to include non-state actors as well...*³

Enemy combat forces and facilities that may be likely targets for nuclear strikes include WMD and their delivery systems, ground combat units, air defense facilities, naval installations, combat vessels, *nonstate actors*, and underground facilities.⁴

Fears of a terrorist chemical or biological weapons attack have increased since September 11, intensified by comments by leading U.S. politicians and extensive media coverage of the dangers posed by such weapons. One Republican Senator predicted that “Within the next several months there will be an attempt to attack Americans either with a chemical agent,

a biological agent or a massive high explosive like a truck bomb or a car bomb,” and discussed the use of nuclear weapons in response:

“During the Cold War, we always said that if we were attacked with nuclear weapons we would respond with nuclear weapons. The same thing is true here. If a weapon of mass destruction is used against us, the perpetrators should expect a similar response from us.”⁵

U.S. nuclear weapons policy also contemplates the use of nuclear weapons to destroy the weapons of mass destruction of an adversary pre-emptively, before they can be used:

While there will certainly be long-term effects from the use of a nuclear device against any target, counterforce strategy focuses on the more immediate operational effect. *Nuclear weapons might be used to destroy enemy WMD before they can be used*, or they may be used against enemy conventional forces if other means to stop them have proven ineffective. This can reduce the threat to the United States and its forces and could, through the destruction of enemy forces, bring an end to the conflict.⁶

Modified Bombs for Changing “Threats”

Further, the U.S. government has for several years been researching modifications of existing nuclear weapons aimed at making them more useable for purposes other than retaliation for nuclear attack. This research has focused on low-yield nuclear warheads and warheads better suited to destroying targets which are heavily fortified or buried deep underground. A 1999 Department of Defense Planning

Document identified as a priority the ability “to provide national leaders with improved options by increasing the responsiveness of strategic forces and developing more discriminate options, as done most recently with the introduction of the B61-11 earth-penetrating weapons.”⁷ This weapon is designed to penetrate into the ground to increase its effectiveness against buried targets, such as the caves or tunnel complexes. The B61-11 can be delivered by the B-2 stealth bomber and has a variable yield, with a minimum explosive power estimated by some experts to be as low as .3 kilotons (by comparison, the nuclear bomb dropped on Hiroshima at the close of World War Two had a yield of 15 kilotons).⁸

In addition to upgrading nuclear weapons, Pentagon planners are looking to increase their understanding of how nuclear weapons work so that the United States can use them more easily against more types of targets:

Technical challenges are presented by the rapidly developing need to hold evolving enemy targets at risk using the reduced stockpile, and recognizing greatly increasing political and environmental constraints. As a result, we must improve our understanding of weapons outputs and target interactions without underground testing, using only calculations and the ASCI [Accelerated Strategic Computing Initiative] capabilities of DOE laboratories, and apply this understanding to update effects calculational capabilities and develop innovative targeting techniques to defeat increasingly clever enemies—*both national and terrorist*.⁹

To accomplish this, weapons lab researchers are to develop “improvements in the warfighters ability to hold at risk very hard targets with greatly reduced collateral

damage.”¹⁰

Despite efforts to reduce the yield and increase the accuracy of nuclear warheads, they remain immensely more powerful than other weapons, producing blast, heat, and radiation effects that kill and destroy in ways that also are difficult to predict with precision in any given instance, and hence to control. The steady toll of civilian deaths over the last decade of “precision” attacks from the air conducted by the U.S. should have demonstrated conclusively that technology cannot eliminate mistakes in warfare. Any use of nuclear weapons risks large numbers of civilian deaths and injuries either immediately or over the long term. It also is likely to result in damage to the environment that makes social reconstruction more difficult when hostilities end.

The Legal Status of Nuclear Weapons

Because of the distinctive effects of nuclear weapons, the legality of nuclear weapons threat or use long has been controversial. In 1996, the International Court of Justice (popularly known as the World Court) rendered an advisory opinion on the legality of nuclear weapons. The Court stated that

...in order correctly to apply to the present case the Charter law on the use of force and the law applicable in armed conflict, in particular humanitarian law, it is imperative for the Court to take account of the unique characteristics of nuclear weapons, and in particular their destructive capacity, their capacity to cause untold human suffering, and their ability to cause damage to generations to come.¹¹

The majority of the court concluded that “the threat or use of nuclear weapons would generally be contrary to the rules of

international law applicable in armed conflict, and in particular the principles and rules of humanitarian law.”¹² The Court could not, however, reach a conclusion that nuclear weapons use would be unlawful under all circumstances, stating that

the Court cannot conclude definitively whether the threat or use of nuclear weapons would be lawful or unlawful in an extreme circumstance of self-defence, in which the very survival of a State would be at stake;¹³

This latter conclusion was reached in the context of claims by the nuclear weapons states in their arguments before the Court that their policies of nuclear deterrence, in which a large-scale nuclear attack, was deterred by threat of retaliation in kind, were not illegal. As terrible as the September 2001 attacks were, and though the threat posed by the elements that perpetrated them apparently remains significant, there is no basis to conclude that the United States faces “an extreme circumstance of self-defence,” in which its “very survival” is at risk.

The Risks of a Wider War

Despite the broad missions the U.S. has defined for its nuclear weapons, it still may be difficult to imagine that they are likely to be used as the U.S. takes action against a regime on the other side of the globe possessing less of an arsenal than an average U.S. state National Guard. But the Bush administration has stated that it intends a long war, and has hinted that the United States may attack other countries that it believes “harbor terrorists,” including, for example, Iraq. The consequences of an expanded war in Central Asia and the Middle East are impossible to predict, but would likely be severe, particularly for the civilian populations of the region. The United States

would not be the only nuclear-armed state affected. Such a war would involve, directly or indirectly, Israel, the United States, Pakistan, India, the United Kingdom, and Russia-- six of the eight countries known to have nuclear arms. Further attacks causing extensive loss of life in any of those states would make a wider war more likely, and also may erode constraints on retaliation likely to cause massive civilian casualties.

Avoiding the Slippery Slope: The September 11 Attack as Crimes rather than Acts of War

The main alternative to war for the government of the United States is to treat these terrible acts as a crime against humanity, and to marshal the powers of the world's governments, through the United Nations, to find the perpetrators, and to bring them before a credible international tribunal. This approach would encourage public, and hence broadly convincing, presentation of evidence, and patient efforts to persuade the small number of regimes that might "harbor" such criminals to apprehend them and produce them for trial. This last task might prove difficult, but with the broadly shared outrage generated by the September 11 attacks, measures short of military assault, ranging from various types of sanctions to embargoes, could well prove more effective than similar efforts have been in the past. Such measures can be authorized by the United Nations and carried out by U.N. designated forces, and can be crafted to target governments rather than their populations. Responding to these attacks as criminal acts creates a climate that encourages at every step separating the guilty from the innocent, and assuring that only those responsible are punished. Most important, it avoids the effacing of the distinction between military forces and the civilians with whom they are

likely to be identified-- governments in wars among nation-states, "host" populations in irregular warfare-- that almost inevitably occurs as war's grief and devastation deepens hostility into hatred.

By choosing to define the September 11 attacks not as crimes but as acts of war, the Bush Administration has embarked us all on a kind of journey which in the modern age has followed a course which always has been new, and yet always the same. A common characteristic of 20th century wars is that they have resulted in levels of slaughter unimaginable when they began, with extreme violence employed by all participants. To take a single example, former British Prime Minister Harold Macmillan noted that "We thought of air warfare in 1938 rather as people think of nuclear war today."¹⁴ In less than a decade, impelled by the horrors and counter-horrors of modern warfare, the "unthinkable" act of bombing civilian populations had become not only routine but rationally perfected. Experts designed ballistic missiles to fire at London, created firestorms over Dresden and Tokyo, and finally accomplished the annihilation of two Japanese cities with single atomic bombs. By then, in the view of the commander of the air forces that firebombed Japan,

There are no innocent civilians. It is their government and you are fighting a people, you are not trying to fight an armed force anymore. So it doesn't bother me so much to be killing so-called innocent bystanders.¹⁵

Despite decades of discussion in military doctrine of "limited" nuclear war and billions spent to develop nuclear weapons with carefully tailored effects, nuclear weapons remain weapons of terror. Their use carries such moral and historical weight that they will

be employed only after a decision to fight terror with terror, to triumph through the infliction of overwhelming horror. Decisions of this kind, however, never are made in a rational context, but rather in climates suffused with the least rational human emotions: fear, rage, and xenophobia. Today, such choices will be made amidst a population saturated 24 hours a day with horrific images of the next round of atrocities, or the round after that, and of the incomprehensibly “different” people who are seen as responsible. And to those who believe that we can never reach the point where nuclear weapons could be used, where annihilation becomes part of the calculus of war, there is only one answer: it has happened before.

Nuclear Catastrophe: the Ultimate Unanticipated Consequence

The terrible events of September 2001, and the speed with which our world seems to be spinning out of control, should impel us to think again about nuclear weapons, and the paradoxical and destructive presence they represent in the hidden heart of the modern world. The nuclear arsenals of the eight countries that possess them add nothing to anyone’s security in the current crisis; instead they add immensely to its dangers. Their purported ability to “deter” seems utterly irrelevant to protecting ordinary people against further suicide attacks. Nuclear weapons are unlikely to influence those willing to die while killing for their beliefs, whose networks which support them are well integrated into our complex, urbanized societies. The very existence of nuclear weapons, their presence, along with the extraordinarily dangerous materials necessary to produce them at hundreds of places around the world, presents those who wish to wreak havoc with vulnerable targets, and even perhaps with opportunities to steal the weapons themselves.

The heightening of tensions as the military

forces of nuclear-armed states deploy rapidly across already war-torn regions increases the dangers of catastrophic miscalculation. Casting the crisis as a war against Islamic terrorism has provided an opportunity for armed elements both inside and outside nation-states to push their agendas. Intelligence and military factions in the United States and Israel demand that Iraq be next on the list for massive strikes. Insurgents in Kashmir launch new assaults, stirring an incendiary mix where factions inside and outside the Pakistani government sympathetic to the Taliban can further squeeze the current regime, simultaneously ratcheting up tensions with nuclear-armed India. Those in India who long have favored a military “solution” to the Kashmir conflict seize the chance to frame their fight as part of the war against terrorism. And all the while, the machinery of annihilation waits, the final stop on the road of “unanticipated” consequences.

Nuclear arms routinely are described as the ultimate weapon, and yet they have proved useable only as weapons of terror against a weaker adversary:

From the start of the nuclear age in 1945, enormous expenditures of ingenuity and ink have been devoted to analyses and discussions of nuclear strategy... Yet all this discussion has produced only one plausible scenario for the use of nuclear weapons in war: a situation where there is no prospect of retaliation, either against a non-nuclear state, or against one so weakly armed as to permit the user to have full confidence in his nuclear forces’ capacity to achieve a totally disarming first strike against those of his opponent.¹⁶

The revulsion felt by all civilized people in the wake of the September 11 attacks, even among those who understand the inequities that have fueled the rage and hatred underlying such explosive violence, should lead us to question

“Men for years now have been talking about war and peace. But now, no longer can they just talk about it. It is no longer a choice between violence and nonviolence in this world; it’s nonviolence or nonexistence. That is where we are today.” Martin Luther King, “I’ve Been to the Mountaintop” April 3, 1968

whether terror weapons— weapons of mass destruction of any kind— should be allowed to exist. For their very presence as the ultimate arbiter of international conflict has created a world where the threat of mass killing is accepted as legitimate by the world’s most powerful states. In the words of the policy planners at the United States Strategic Command,

Just as nuclear weapons are our most potent tool of deterrence, nevertheless they are blunt weapons of destruction and thus are likely always to be our weapons of last resort. Although we are not likely to use them in less than matters of the greatest national importance, or in less than extreme circumstances, nuclear weapons always cast a shadow over any crisis or conflict in which the US is engaged. Thus, deterrence through the threat of use of nuclear weapons will continue to be our top military strategy.¹⁷

On all sides, rich and powerful men order

the young and the powerless and the angry into battle, after first filling their minds with hate. So, we are told, it always has been, and hence, it is implied, it always must be. But each round of carnage grows riskier, in a human society grown ever more crowded, fragile, and interdependent, addicted to dangerous technologies and bristling with high tech weapons.

A half century ago, at another watershed in human affairs in the wake of the atomic bombing of Hiroshima, the philosopher Albert Camus called for the people of the world to demand that their governments seek a different path:

Faced with the terrifying perspectives which are opening up to humanity, we can perceive even better that peace is the only battle worth waging. It is no longer a prayer, but an order which must rise up from people to their governments— the order to choose finally between hell and reason.¹⁸

Notes

1. "The scale of the attacks and the loss of life — mostly in New York City's World Trade Center, but also near Pittsburgh and Washington — ensured that 'no option has been taken off the table,' a senior U.S. official told MSNBC.com.. Asked if that included nuclear weapons, one senior official said: 'I said no option is out of the question. That's precisely what I mean.'" "Powell: U.S. on war footing," MSNBC (Internet), September 12, 2001
2. See, e.g., United States Joint Chiefs of Staff, *Doctrine for Joint Theater Nuclear Operations*, Joint Pub 3-12.1 (February 1996), p. I-3, U.S. Department of Defense, Deputy Under Secretary of Defense (Science and Technology), *Defense Technology Objectives for Defense Technology Area Plan*, (2000), "Nuclear Phenomenology," p. II-372, obtained by Western States Legal Foundation under the Freedom of Information Act .
3. United States Joint Chiefs of Staff, *Doctrine for Joint Theater Nuclear Operations*, Joint Pub 3-12.1 (February 1996), p.I-3 (emphasis added).
4. *Id.*, p. viii (emphasis added).
5. C.T. Revere, "Kyl Expects Second - Possibly More Deadly - Strike," *Tucson Citizen* (internet edition), September 28, 2001.
6. *Nuclear Operations*, Air Force Doctrine Document 2-1.5, 15 (July 1998), pp. 8-9 (Emphasis added)
7. U.S. Department of Defense, Deputy Under Secretary of Defense (Science and Technology), *Defense Technology Area Plan*, (2000), p.XI-7, obtained by Western States Legal Foundation under the Freedom of Information Act. Full document available at <http://www.wslfweb.org/docs/dstp2000/dtappdf/contents.pdf>
8. "The Birth of a New Bomb," *The Washington Post*, June 1, 1997, p. C1
9. U.S. Department of Defense, Deputy Under Secretary of Defense (Science and Technology), *Defense Technology Objectives for Defense Technology Area Plan*, (2000), "Nuclear Phenomenology," p. II-372, obtained by Western States Legal Foundation under the Freedom of Information Act . (Emphasis added) The full document can be found on the WSLF web site at <http://www.wslfweb.org/docs/dstp2000/dtopdf/24-NT.pdf>
10. *id.* For more about U.S. low-yield nuclear weapons research, see *Looking for New Ways to Use Nuclear Weapons: U.S. Counterproliferation Programs, Weapons Effects Research*, and "Mini-Nuke" Development, WSLF Information Bulletin, Winter 2000, available at <http://www.wslfweb.org/docs/mininuke.pdf>
11. International Court of Justice, *Legality of the Threat or Use of Nuclear Weapons*, General List No. 95 (Advisory Opinion of 8 July 1996), Para. 35. For a comprehensive explanation and analysis of the ICJ opinion see *The Legality of Threat or Use of Nuclear Weapons, A Guide to the Historic Opinion of the International Court of Justice*, by John Burroughs, Lit Verlag, Muenster, 1997. (Available from Western States Legal Foundation.)
12. *Ibid.*, Para. 105(2)E.
13. *Id.*
14. H. MacMillan, *winds of change, 1914-1939* (London: 1966), 575; quoted in Michael Sherry, *The Rise of American Air Power: The Creation of Armageddon* (New Haven: 1987), 74.
15. General Curtis LeMay, quoted in Sherry, *op. cit.*, 287
16. Carl Kaysen, Robert McNamara, and George Rathjens, "Nuclear Weapons After the Cold War," in Rotblat et al, eds., *A Nuclear Free World: Desirable? Feasible?* Westview Press, Boulder, CO, USA, 1993, 33,38.
17. U.S. Strategic Command (STRATCOM) Policy Committee, "Essentials of Post Cold War Deterrence," (1995) Document obtained through the Freedom of Information Act by Hans Kristensen, Nautilus Institute

18. Albert Camus, "Between Hell and Reason," *Combat*, August 6, 1945, in Kai Bird and Lawrence Lifschultz, eds., *Hiroshima's Shadow: Writings on the Denial of History and the Smithsonian Controversy*, (Stony Creek, Connecticut: 1998), 261.

WEB RESOURCES

U.S. Nuclear Weapons Policies

For more information on U.S. low-yield nuclear weapons research, see ***Looking for New Ways to Use Nuclear Weapons: U.S. Counterproliferation Programs, Weapons Effects Research, and "Mini-Nuke" Development***, WSLF Information Bulletin, Winter 2000, available at <http://www.wslfweb.org/docs/mininuke.pdf>

For links to a wide range of government and non-government resources on nuclear weapons, see the Western States Legal Foundation web resource guide at <http://www.wslfweb.org/links.htm>

The Legal Status of Nuclear Weapons

The **International Court of Justice opinion on the "Legality of the Threat or Use of Nuclear Weapons"** is available at <http://www.icj-cij.org/icjwww/idecisions.htm> For more on the legal status of nuclear weapons, see the web site of the **Lawyers Committee on Nuclear Policy** at <http://www.lcnp.org>

For a systematic approach to the elimination of nuclear arsenals, see the set of materials on a **Model Nuclear Weapons Convention** on the web site of the International Physicians for the Prevention of Nuclear War at <http://www.ippnw.org/NWC.html>

The Dangers of War and Nuclear Confrontation in South Asia

For a collection of essays and other materials from the fast-growing anti-nuclear weapons movement in South Asia, see the web page of **South Asians Against Nukes** at <http://www.mnet.fr/aiindex/NoNukes.html>

For a study of the terrible devastation which could result from even a limited nuclear exchange, see M.V. Ramana, ***Bombing Bombay? Effects of Nuclear Weapons and a Case Study of a Hypothetical Explosion***, at <http://www.ippnw.org/bombay.pdf>

For background on the complex politics of Pakistan today, see Zia Mian and Iftikhar Ahmad, eds., ***Making Enemies, Creating Conflict: Pakistan's Crises of State and Society***, on-line at http://members.tripod.com/~no_nukes_sa/Contents.html

Worldwide Nuclear Arsenals: Basic Information

Center for Defense Information, Current World Nuclear Arsenals
<http://www.cdi.org/issues/nukef&f/database/nukestab.html>

NRDC Nuclear Notebook: After the tests: India and Pakistan Update
September/October 1998 Vol. 54, No.5
<http://www.thebulletin.org/issues/nukenotes/so98nukenote.html>