

Debate

POLICY CONSIDERATIONS IN USING NUCLEAR WEAPONS

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I have been asked to talk about policy considerations in the use of nuclear weapons. The United States has been working in a variety of fora on the issue of military strategy post-Cold War, and the threat that the proliferation of weapons of mass destruction poses. While I will confine my remarks generally to nuclear weapons, the issue of post-Cold War military strategy and the threat of weapons of mass destruction proliferation must be considered in conjunction with the use of nuclear, chemical and biological weapons.

We are well aware that these weapons have been used. In fact, the United States' use of nuclear weapons provides some insight into successful strategy that likely marks the future strategy for military operations. We first used nuclear weapons to impose a regime of shock and awe on our enemies that proved sufficient to defeat the Japanese. Japan offered a unique circumstance because the knowledge of nuclear weapons at that time was not widespread, so their use came as a huge surprise. Further, Japan had been debilitated over years of land, sea and air combat against the United States.

Thus, history has shown that nuclear weapons served us well. Their use defeated the Japanese will to defend their homeland, and saved literally thousands of both Allied and Japanese lives. Certainly, our decision to exercise our nuclear capability stopped the more debilitating fire-storm attacks that were wreaked on Japanese cities.¹

Many Americans ignore the fact that the policy of the United States is to use nuclear weapons and to use them first. In my dealings with other nations, however, I have found that they tend to keep this

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1. See Robert Nathans, *Making the Fires That Beat Japan*, in *FIRE AND THE WAR 136* (Horatio Bond ed., 1946).

element of U.S. policy well in mind, and look upon us a little differently than we look upon ourselves.

After World War II, the United States used nuclear weapons for deterrence purposes. I will not elaborate on this point beyond stating that our policy was founded on the massive deployment of nuclear weapons.² During the Cold War, the U.S. military considered various strategies at different times, including the use of nuclear weapons on tactical targets.

Although the terms “tactical” and “strategic” are used widely, they should be avoided whenever possible. Without question, they are two of the most confusing terms in our modern lexicon, particularly in the military context. Our “tactical nuclear weapons” strategy meant that we would use nuclear weapons if the Russian army invaded the Fulda gap,³ as this event marked the point at which we could no longer defend our position with conventional means. We also contemplated strategic or “demonstration” nuclear weapons—if U.S. forces were getting overrun and we wanted to encourage the Russians to desist, we would detonate a nuclear weapon in an isolated area to prevent casualties with the hope that the Russians would retreat or stop the war.

I used to sit in F-100s on alert with nuclear weapons and I always found such abstract policy discussions in Washington wholly inane. These policymakers simply did not understand the very real dangers inherent in the “tactical” or “strategic” deployment of nuclear weapons. I always wondered whether I would actually take off to fly a mission with a nuclear weapon—I figured I would, but I was never sure. The military personnel who sit in the ICBM silos think the same way. Most human beings will follow their orders, but Generals may not be prepared to accept the ramifications of giving an order to launch a nuclear weapon. It is a daunting proposition to have your finger on the trigger.

As a matter of the balance of world powers and foreign policy, the Cold War ended the day the Berlin Wall came down. However, Cold War armies with their nuclear weapons remain in the field. Consequently, the situation we now face is two-fold. First, how do we get the nuclear armies off the field of battle? Second, how do we handle the emerging New World?

2. See, e.g., BRUCE G. BLAIR, STRATEGIC COMMAND AND CONTROL 14-29 (1985).

3. See, e.g., SCOTT SAGAN, EVOLUTION OF U.S. NUCLEAR DOCTRINE 37-43, 53 (1989); JOHN P. ROSE, EVOLUTION OF US ARMY NUCLEAR DOCTRINE 169-82 (1980); JOHN J. MEARSHEIMER, CONVENTIONAL DETERRENCE 176-78 (1983).

In my opinion, the treatment of the emerging New World is the issue of utmost concern. There are a few nations that possess nuclear weapons, and have them for purposes unique to themselves. For example, while I fear the Russian capacity to destroy our nation, I do not believe the Russians would use nuclear weapons. Moreover, we must continue to operate with that hope, and with that attitude toward our Russian counterparts. Further, China's weapons are probably just as likely to fall on Russian or Japanese soil as they are to fall on American soil. For this reason, they pose a wide-scale threat, but that threat extends beyond the Cold War threat. There is also general concern about the situation with India and Pakistan. If they exchange nuclear weapons, we are all living downwind, and we will all suffer because their weapons will be extremely radioactive.⁴ Finally, we have the case of our ally, Israel. While we may respect their need to defend themselves, and understand their perception of being out-numbered and surrounded, Israel's security dilemma heightens the risk that they might use nuclear weapons. During the Gulf War, I could not understand why I was receiving so much pressure from the White House to stop the Scud missile attacks on Israel. That particular pressure was unrelenting and disproportionate compared to all other aspects of the war. While I am not aware of the full explanation for this, I can speculate that Israel indicated that they would use nuclear weapons on Baghdad if the Iraqis used chemical warheads, or if the Iraqis did not stop their attacks.

Many people do not understand that Desert Storm was the first war against the proliferation of weapons of mass destruction, and of nuclear weapons in particular. The United States' goals were three-fold. First, and foremost, was Kuwait's freedom. Second, the industrial West had a selfish interest in maintaining access to oil. Third, our goal was to cripple Saddam Hussein's nuclear, biological and chemical weapons program, and in this pursuit we found the Iraqis far more advanced than anyone had speculated prior to the war.

It is alleged that the United States' possession of nuclear weapons precluded the Iraqi use of chemical weapons against our forces in the field. Several public announcements during the Gulf War implied that an Iraqi chemical weapons attack would be met with a nuclear response. While in Jordan, before going home to bury them-

4. The nuclear weapons produced by countries (like India and Pakistan) that do not have sophisticated nuclear facilities are more primitive in design than are U.S. weapons, and are therefore likely to create larger bursts of radiation. More advanced designs are often "clean" weapons which produce lower levels of radiation.

selves, Saddam Hussein's two sons-in-law revealed that "It was [the United States'] nuclear threat that kept us from using our chemical weapons."⁵

However, these men were not in the inner circle. Captured Iraqi generals told us a vastly different story. According to them, Iraq could have used chemical weapons, but chose not to. Iraq knew that U.S. forces were much better protected, our chem-gear, our procedures and our preparedness against the use of chemical weapons would cause more Iraqi than American casualties. While I agree American troops were better protected, I doubt that Iraqi generals had permission to use chemical weapons.

Deterrence use of nuclear weapons in the post-Cold War world would be flawed. There is in deterrence theory the problem of the irrational actor. The rational actor will realize that modern delivery vehicles have the capability to detonate nuclear weapons, bombs, or warheads wherever desired, in an attempt to deter. The irrational actor, however, is going to question our will despite any potential consequences. For example, Saddam Hussein's strategy was not to defeat us in battle, but to inflict sufficient casualties, so that people would take to the streets in Washington, New York, Rome, Paris and London, as they did to oppose the Vietnam War. The irrational actor either does not care if we use nuclear weapons, or is insane enough to desire their use.

Although the main actors in the world are not irrational, rational actors may nonetheless look upon the United States' potential use of nuclear weapons as untenable. History supports this perception. For example, our targeting strategy in Desert Storm made massive efforts to avoid collateral damage. The coalition⁶ did everything possible to avoid loss of life, even in the Iraqi forces. We went after their tanks and ammunitions, which proved to be a highly successful strategy designed to cause their troops to surrender. Based on this pattern, the rational actor will have to conclude that it will be very difficult for any American president to use nuclear weapons. Therefore, the rational actor will not be deterred by our threats to use nuclear weapons.

5. *Going Home to Death: Murder in the Hussein Family*, WORLD PRESS REV., May 1, 1996, available in 1996 WL 8399623; see also *Hijack of Flight 150: The Hijackers*, DAILY TELEGRAPH LONDON, Aug. 28, 1996, available in 1996 WL 3975539.

6. The coalition of countries assembled by the United States through the United Nations to prosecute Operation Desert Storm. Key coalition allies included Egypt, Saudi Arabia, Syria, the United Kingdom, France, Italy, Turkey and Canada.

With the end of the Cold War, we must strive to develop the right answer on nuclear weapons. The United States needs a vision of where we want the world to be. While it may not be possible or achievable, a vision of a world free of nuclear weapons is worthy of pursuit. By signing the Nuclear Non-Proliferation Treaty, the United States adopted this vision.⁷ Even if we could achieve the destruction of the existing stock of nuclear weapons, the world will not be danger-free because the potential to build nuclear weapons continues to exist. One answer is that we must maintain the ability to research nuclear weapons technologies to recover quickly a nuclear deterrent capability should the need arise.

A three-phase approach should be taken in this New World where threats are proliferating far faster than anyone can imagine. First, we need protection. We must be able to withstand a nuclear weapons attack. Protection would begin with programs such as Ballistic Missile Defense, both for ourselves and other nations seeking protection from the United States. However, these other nations may not necessarily be our friends, as the following anecdote demonstrates.

General Ivanoff, the head of the Russian military space program, came to visit me. As we went through all the space facilities, he spoke to some of the young men. We sat down for a meeting, and the sixteen-year-old kid that lives inside me could not resist the temptation to stick a needle in the Russian. I said, "General, you know, the United States of America, whether you like it or not, is going to develop ballistic missile defenses because North Korea's going to get a three-thousand mile missile and it's just going to be politically untenable for our government to allow our people to be attacked from space. And you also know that if we get a ballistic missile defense it will have the capability to shoot any one of your satellites and I suppose you don't like that at all. So have you even considered joining with us in anti-ballistic missile defenses?"

I then received a fifteen-minute tirade against ballistic missile defenses. I replied, "You know, it's kind of stupid on your part to take that attitude because you and I are not going to go to war against each other. We are not going to destroy each other's countries. We don't have to like each other, we don't have to get along, but we need to learn how to work together because you have the

7. See Treaty on the Non-Proliferation of Nuclear Weapons, *opened for signature* July 1, 1968, 21 U.S.T. 483, 729 U.N.T.S. 161.

problem right now, not me. You have North Korea, China, India, Pakistan, Iraq, Iran, Syria, all on your border, not on my border, and you don't have the capability to defend yourselves, and you need it far more than I do. And we have the technology to put up objects in space, whether lasers or silver bullets, to disable ballistic missiles over the entire earth with a great degree of certainty. You, by the way, have the ability to launch them. You have massive launch capabilities we could use. So, why don't we do this together."

Ivanoff became very quiet. I could tell his generals were all shaking. I was drinking a cup of coffee, and I was feeling content because I had stuck a needle in a Russian. He remained quiet, and then turned to me and said, "Who is against this?"

I replied, "Well, first of all we've got Cold Warriors in Washington and in Moscow who want to maintain the status quo. They made their reputation on fighting the Cold War and they want keep it alive. Second of all, in my country we have to go to the Congress for money and that is very difficult for us to do."

He thought some more. We then returned to the normal briefing routine. As we said good-bye, he pulled me aside by the airplane. He turned to me and said, "I hope you have good luck with your Congress."

The point of this story is that cooperation is possible if we confront those concerned rather than maneuver around each other as if in a chess game.

Beyond protecting our nation, we must protect our forces so they can withstand nuclear attack. As a nation we must have the courage to understand that we may well be the target of a nuclear attack. Everyone talks about the bomb in the hull of a ship in New York City.⁸ While that may happen, first and foremost the government must seek to establish the means to protect the citizens of the United States from nuclear attacks of all types, including those delivered by terrorists or ballistic missiles.

Second, in addition to protection, measures to control the spread of nuclear weapons are fundamentally important. While I have little faith that arms control will solve the problem without strong arms, I believe that if we have strong arms, then arms control has merit. When I think of U.S. policy, I envision patting our enemies on the head while looking for a club. The following provides a less extreme

8. See generally Dipankar De Sarkar, *Disarmament: Specter of Nuclear Terrorism Worries Physicians*, Inter Press Service, Dec. 3, 1996, available in 1996 WL 14476643.

illustration. I once stayed with a very liberal U.S. Ambassador in Bahrain. I asked him, "How come you're so nice to me? You don't like the military." He replied, "Without the military there is no diplomacy." As evidenced by his answer, I believe that the diplomatic effort in arms control is the next element we need to pursue.

Third, and perhaps most difficult, is the need for a substantial, credible, and capable conventional military force. I do not believe in any deterrent effect of nuclear weapons because nuclear weapons are best used against cities where civilian casualties would be high. On the other hand, three B-2s armed with laser-guided munitions will destroy half the vehicles of an attacking armored division with one pass. A B-2, which is virtually unstoppable, can travel anywhere in the world, and can carry four thousand pounds of guided munitions. Imagine the effect of the following threat on a foreign Capital; "I'm going to take out every one of your governmental buildings, institutions, and sites of national security, and do it simultaneously with one airplane"? Such a threat represents true deterrence. Unfortunately, it is very expensive to maintain such a force. Consequently, there are those who favor nuclear deterrence theory over conventional deterrence theory due to cost considerations. Given the inherent problems with nuclear deterrence theory previously discussed, we must keep our conventional defenses powerful.

This topic, vital to our future, must be debated. Some are hesitant to embrace these new ideas, because they are comforted by the past and have little faith in the future. It is crucial to the world that we open the books, that we improve the dialogue, and that we search for ways to rid ourselves of the specter of nuclear weapons, particularly at today's levels.

