

The Case for No First Use

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In his 5 April 2009 speech in Prague, US President Barack Obama promised that ‘to put an end to Cold War thinking, we will reduce the role of nuclear weapons in our national security strategy and urge others to do the same’.¹ The forthcoming Nuclear Posture Review (NPR), mandated by Congress, provides the administration an opportunity to honour that commitment. To reduce the role of nuclear weapons in national security strategy, however, the next NPR must abandon the long-standing US policy of threatening to use its nuclear weapons first in a variety of military scenarios. This basic step was not taken in the George W. Bush administration’s 2001 NPR, despite its claim to institute ‘a major change in our approach to the role of nuclear offensive forces in our deterrent strategy’ and call to ‘both reduce our dependence on nuclear weapons and improve our ability to deter attack in the face of proliferating [weapons of mass destruction (WMD)] capabilities’.² Indeed, the 2001 NPR contradicted these stated ambitions by maintaining that nuclear weapons were still necessary to ‘provide credible military options to deter a wide range of threats, including WMD and large-scale conventional military force’.³

Is the threat of the first use of US nuclear weapons still necessary to deter the use of non-nuclear WMD (that is, chemical and biological weapons), and to deter the use of large-scale conventional military force? Or can Washington move toward a policy of no-first-use, limiting the role of

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nuclear weapons to deter the use of other states' nuclear weapons against the United States and its friends and allies? Previous analyses of the appropriate role and missions for US nuclear forces, including earlier official nuclear posture reviews, have been too narrow, focusing exclusively on the contribution of nuclear weapons to deterrence and not examining the effects of the American nuclear posture and declaratory policy on the wider set of US and allied objectives regarding non-proliferation and nuclear terrorism. Because of this focus, previous government and academic analyses have both exaggerated the potential military and diplomatic costs of a no-first-use doctrine and have seriously underestimated its potential benefits. There were strong and obvious reasons why Washington maintained and advertised a range of first-use options throughout the Cold War: NATO faced a massive conventional threat from the Warsaw Pact and the United States and its allies in East Asia were confronted by the Soviet Union, the People's Republic of China and North Korea. But these options are no longer necessary. Examination of the costs and benefits suggests that the United States should, after appropriate consultation with allies, move toward adopting a nuclear-weapons no-first-use declaratory policy by stating that 'the role of US nuclear weapons is to deter nuclear weapons use by other nuclear-weapons states against the United States, our allies, and our armed forces, and to be able respond, with an appropriate range of nuclear retaliation options, if necessary, in the event that deterrence fails'.

Mine is by no means the first call for reduced reliance on nuclear weapons in US and NATO policy. In the middle of the Cold War, for example, a number of distinguished retired senior statesmen and scholars argued for a NATO no-first-use doctrine, but their arguments were largely ignored.⁴ Similar arguments in favour of a US no-first-use doctrine or a more limited 'defensive last resort' doctrine were repeated with vigour after the end of the Cold War.⁵ But neither the Bill Clinton nor the G.W. Bush administrations' policy reviews led to new limits on the roles and missions assigned to nuclear weapons and, indeed, the 2001 NPR and 2002 *National Security Strategy of the United States* (NSS) appeared to increase Washington's willingness to 'hold all options on the table', including possible use of nuclear weapons in pre-emptive or preventive strikes.⁶

The multiple purposes of declaratory policy

Declaratory policy and public documents outlining US nuclear-weapons doctrine – such as unclassified versions of a nuclear posture review – serve six related purposes. Firstly, they provide intellectual background for the classified guidance given to military leaders, identifying the geopolitical context and assumptions that they should use when developing operational war plans and weapons-alert procedures, and, more indirectly, when developing future procurement requirements. The classified guidance and resulting war plans may not always fully reflect the expectations of senior civilian authorities, but stated declaratory policy is rarely completely inconsistent with classified nuclear doctrine.⁷ Indeed, senior and junior military officers routinely read and refer to public declaratory policy to help make sense of the more complex and classified set of plans they are tasked to develop. Secondly, such doctrinal statements are meant to shape the subsequent public debate in the US Congress and broader body politic about the adequacy of the current nuclear arsenal, about potential arms-control agreements or weapons reductions, and future weapons-development programmes. These first two purposes can be seen as instrumental goals; they are means by which the four major substantive objectives of enhancing deterrence, reassurance, counter-terrorism and non-proliferation can best be achieved.

Nuclear declaratory policy is meant to enhance deterrence of potential adversaries by providing a signal of the intentions, options and proclivities of the US government in different crisis and war-time scenarios. Such signals are similarly meant to enhance reassurance of allies. Declaratory policy can indirectly influence the likelihood of nuclear terrorism by dissuading governments or individuals from providing nuclear weapons or materials to terrorist organisations and by making terrorist use of a nuclear weapon appear immoral and illegitimate to some individuals who might otherwise support the terrorists' goals. Finally, statements about doctrine can influence both the likelihood and consequences of nuclear proliferation

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by helping shape global norms about reasonable and legitimate potential uses of nuclear weapons. These norms can in turn influence internal debates in new and potential nuclear-weapons states about their own nuclear doctrines or potential nuclear-weapons acquisition.

The 2001 NPR and 2002 NSS together offer a dramatic example of direct influence on military war planners and subsequent congressional debate. In 2005 the Joint Chiefs of Staff (JCS) released a draft 'Doctrine for Joint Nuclear Operations' that quoted both documents extensively, outlined the resulting assumptions about the conditions for which war planners should prepare nuclear-weapons first-use attack options, and listed a number of scenarios under which combatant commanders 'may request Presidential approval for the use of nuclear weapons', including:

- an adversary intending to use weapons of mass destruction against US, multinational, or alliance forces or civilian populations;
- imminent attack from an adversary's biological weapons that only effects from nuclear weapons can safely destroy;
- attacks on adversary installations including WMD; deep, hardened bunkers containing chemical or biological weapons; or the C² [command and control] infrastructure required for the adversary to execute a WMD attack against the United States or its friends and allies;
- to counter potentially overwhelming adversary conventional forces, including mobile and area targets (troop concentration);
- for rapid and favourable war termination on US terms;
- to ensure success of US and multinational operations;
- to demonstrate US intent and capability to use nuclear weapons to deter adversary WMD use;
- to respond to adversary-supplied WMD use by surrogates against US and multinational forces or civilian populations.⁸

Sixteen members of Congress immediately sent a joint letter to the president expressing concern about the draft document, creating a controversy that eventually led to the publication being cancelled.⁹ The UK minister of

defence was also asked in Parliament about the impact of this JCS planning document and replied that Her Majesty's Government had to be 'fully consulted and agree before any UK-based US forces are deployed operationally'.¹⁰ It is not clear whether the guidance that led to the document or the planning assumptions embedded in it were subsequently changed inside the Pentagon. What is clear is that the Bush administration's NPR and NSS influenced US military planning, public debates in the United States and discussions in allied governments about US nuclear-weapons policy, though perhaps not entirely in ways anticipated or desired by the administration.

Deterrence, reassurance and the 'nuclear umbrella'

Given the current superiority of the United States in conventional military force, there are few credible scenarios in which America and its allies would face defeat in a major conventional war. The maintenance of US nuclear 'extended deterrence' commitments to key allies who face nuclear neighbours, however, remains both a central security interest for the United States and an essential non-proliferation tool. This is certainly true in East Asia, where Japanese and South Korean security and their responses to North Korean nuclear developments will be strongly influenced by their perceptions of the reliability of US alliance commitments, as well as their beliefs about whether the US government has behaved responsibly in the ongoing crises with North Korea. Former Japanese Prime Minister Morihiro Hosokawa argued in 1998 after the first North Korean nuclear crisis that 'it is in the interest of the United States, so long as it does not wish to see Japan withdraw from the [Non-Proliferation Treaty] and develop its own nuclear deterrent, to maintain its alliance with Japan and continue to provide a nuclear umbrella'.¹¹ Recognition of the continued importance of US nuclear security guarantees was clearly behind then Secretary of State Condoleezza Rice's trip to Tokyo after the October 2006 North Korean nuclear test, when she assured the government that 'the United States has the will and the ability to meet the full range of its deterrent and security commitments to Japan'.¹²

NATO is a more complicated case, as member states purportedly no longer treat Russia as an enemy for planning purposes and the Alliance's

missions have expanded to include out-of-area operations. Nevertheless, NATO member states have never officially altered the 1999 Strategic Concept that continued to hold nuclear weapons as a necessary part of NATO's deterrent strategy in an uncertain world:

To protect peace and to prevent war or any kind of coercion, the Alliance will maintain for the foreseeable future an appropriate mix of nuclear and conventional forces based in Europe and kept up to date where necessary, although at a minimum sufficient level. Taking into account the diversity of risks with which the Alliance could be faced, it must maintain the forces necessary to ensure credible deterrence and to provide a wide range of conventional response options. But the Alliance's conventional forces alone cannot ensure credible deterrence. Nuclear weapons make a unique contribution in rendering the risks of aggression against the Alliance incalculable and unacceptable. Thus, they remain essential to preserve peace.¹³

The newer NATO member states and Turkey are particularly concerned about any change in NATO doctrine that they believe would signify a reduced commitment to joint defence on the part of the United States.

Concerns about extended deterrence have thus often been cited as a reason to maintain current US nuclear declaratory policy concerning first-use options and ambiguity about when nuclear weapons might be used.

But extended nuclear deterrence can be made compatible with a no-first-use doctrine if changes in US nuclear security guarantees were made to fit current conditions of US conventional military superiority. Indeed, the term 'nuclear umbrella' is highly misleading and should be dropped from the strategist's lexicon. The umbrella metaphor implies

the existence of a defensive protection strategy (rather than a retaliation deterrence commitment) and the term also fails to differentiate between a commitment to use nuclear weapons first, if necessary, to defend an ally attacked by overwhelming conventional force or nuclear weapons (the

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Cold War policy in NATO, Japan and South Korea), and the more tailored guarantee to use nuclear weapons in retaliation against a nuclear attack, but only a nuclear attack, on US allies. This second guarantee is consistent with a no-first-use doctrine, and would maintain extended deterrence for nuclear threats to allies and would not therefore encourage them to develop their own nuclear weapons. This doctrine would also be consistent with a broader diplomatic strategy to encourage non-nuclear states to devalue the role of nuclear weapons and to see the first use of nuclear weapons as illegitimate. Finally, since such a doctrine would emphasise conventional responses to conventional acts of aggression, the credibility of the deterrent threat would be maximised because lingering fears about whether the United States might renege on its commitments, if they include the use of nuclear weapons, would be reduced. In short, a no-first-use doctrine would not undermine the part US nuclear forces play in deterring nuclear strikes and threats to allies in NATO, Japan and South Korea, and could provide broader diplomatic and non-proliferation benefits.

Considerable diplomatic consultation would need to take place within NATO and with key US allies in East Asia to ensure that all parties understand that commitments to defend them would be maintained, indeed might be made even more credible, by emphasising conventional responses to conventional attacks and nuclear retaliation only in the event of a nuclear attack. It is worth noting that a group of former German leaders are on record as stating that ‘a general non-first-use treaty between the nuclear-weapons states would be an urgently needed step’ for progress in nuclear disarmament and non-proliferation.¹⁴ Those who argue against a US no-first-use doctrine on grounds that it would automatically undercut reassurance to all of those allies are not taking into account the views of those allies nor the positive diplomatic benefits that could result from changes in declaratory policy.

Calculated ambiguity

The Bush administration’s policy of using US nuclear-weapon threats to deter chemical- or biological-weapon use by other states was not new; it was a continuation of the Clinton administration’s policy of ‘calculated ambi-

guity'. Secretary of Defense William Cohen explained the logic behind the policy best in November 1998: 'We think the ambiguity involved in the issue of nuclear weapons contributes to our own security, keeping any potential adversary who might use either chemical or biological [weapons] unsure of what our responses would be'.¹⁵ The Bush administration's 2002 National Strategy to Combat Weapons of Mass Destruction reasserted this policy: 'The United States will continue to make clear that it reserves the right to respond with overwhelming force – including through resort to all of our options – to the use of WMD against the United States, our forces abroad, and friends and allies'.¹⁶

Advocates of calculated ambiguity maintain that such threats usefully enhance deterrence because they raise the potential costs any government would face if it considered using chemical or biological weapons. Critics stress that such threats are contrary to US negative security assurances (promises that the United States would not use nuclear weapons against non-nuclear-weapons states, not aligned with a nuclear state) and that such threats can encourage nuclear proliferation by leading governments of non-nuclear-weapons states or new nuclear-weapons states to believe that they may need nuclear weapons to deter such WMD threats.¹⁷ There is reason to believe both arguments are correct. On the one hand, the policy is clearly

inconsistent with earlier US negative security assurances which did not make exceptions for responding to chemical or biological attack, and it has influenced other states, such as India, to adopt a similar nuclear doctrine. On the other hand, it is likely that such declarations do add credibility to the US threat to respond with nuclear weapons, not just by creating ambiguity about the likely response (which can never be entirely eliminated), but also by creating a commitment trap.

If deterrence fails despite such threats, a president will feel increased pressure to use nuclear weapons to maintain his or her domestic reputation and America's international reputation for honouring commitments.¹⁸ In short, such threats do not just signal commitment, they create commitment. Thus, unless such threats work 100% of the time,

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the calculated-ambiguity doctrine increases the likelihood that the United States will use nuclear weapons first in response to a perceived imminent or actual chemical or biological attack.

An unambiguous declaratory policy of no first use of nuclear weapons would reduce, but could not entirely eliminate, the calculation of a potential government contemplating the use of chemical or biological weapons that the United States might retaliate with nuclear weapons. In this sense it would likely have some negative impact on deterrence, though considerable residual ambiguity and deterrent effect would remain. A no-first-use declaratory policy would also, however, reduce, but not entirely eliminate, the likelihood that the United States would actually use nuclear weapons first, for the first time since 1945. Reasonable people can differ on how to assess these probabilities and how to value each of the outcomes, but a serious comparison of current and no-first-use doctrine should include a clear assessment of the severe consequences of both kinds of deterrence failure: the immediate consequences of a chemical or biological attack by an adversary, and the long-term consequences of potential nuclear retaliation in the event deterrence fails.

Detering nuclear terrorism

It has been widely argued, especially since the 11 September 2001 attacks on New York and Washington, that terrorist organisations and leaders cannot be deterred. The 2002 NSS, for example, emphasised that a mixture of preventive-war options (often called pre-emptive use of military force), layered and robust defences, and stronger nuclear non-proliferation policies were needed to prevent nuclear terrorism. In 2008, however, the G.W. Bush administration raised the possibility that US nuclear policy, including but not limited to nuclear declaratory policy, could provide an element of deterrence by dissuading governments from supplying weapons or nuclear materials to terrorists and by encouraging potential supporters of terrorists' goals to believe that the use of nuclear weapons, as a means to those goals, is immoral and therefore illegitimate. In response to North Korea's nuclear tests, for example, Bush declared that 'the transfer of nuclear weapons or material by North Korea to states or non-state entities would be considered

a grave threat to the United States, and we would hold North Korea fully accountable of the consequences of such action'.¹⁹ A broader strategy of trying to deter nuclear terrorism was outlined in February 2008 by National Security Adviser Stephen Hadley in a speech at Stanford University:

Deterrence can still play a role if deterrence doctrine and policy is reframed in the context of the actual nuclear threat we face today. First, a robust, layered defense can discourage or dissuade attempts to deploy weapons of mass destruction against us, by denying our enemies the benefits they seek in deploying these weapons in the first place. *Second, many terrorists value the perception of popular or theological legitimacy for their actions. By encouraging debate about the moral legitimacy of using weapons of mass destruction, we can try to affect the strategic calculus of the terrorists.* And finally, deterrence policy targeted at those states, organizations, or individuals who might enable or facilitate terrorists in obtaining or using weapons of mass destruction, can help prevent the terrorists from ever gaining these weapons in the first place.²⁰

This is a useful conceptual innovation in US strategic thinking about counter-terrorism. It is difficult, however, for any administration to encourage serious international debate about the moral legitimacy of using weapons of mass destruction, for the sake of US counter-terrorism policy, at the same time that it holds open the option of using nuclear weapons first, against a state that has used biological weapons, or in a preventive attack against a state that is suspected to have a nuclear-weapons programme. Repeated statements by Bush and Vice President Dick Cheney that 'all options are on the table' with respect to the Iranian nuclear crisis, for example, were clearly in tension with the broader diplomatic effort to make WMD use appear illegitimate. A new no-first-use declaratory policy would make US engagement in such a global debate about the illegitimacy of using nuclear weapons and other weapons of mass destruction appear more credible and thus potentially more effective. It would put the United States in a more tenable position in the ongoing effort to create a broader global consensus against the use of any weapon of mass destruction against non-combatants.²¹

Declaratory policy and non-proliferation

The US government declared at the 1995 and 2000 Non-Proliferation Treaty review conferences that it would not threaten or use nuclear weapons against non-nuclear weapons states who are members in good standing of the treaty, unless such states attack the United States or its allies in conjunction with an attack by a nuclear-weapons state (the so-called Warsaw Pact exclusion clause).²² The perceived credibility of the US commitment to honour such negative security assurances, however, was significantly reduced when portions of the 2001 NPR were leaked to the press that were seen to call for targeting non-nuclear states such as Syria and Libya with nuclear forces.²³ Similarly, the US commitment to work in good faith toward nuclear disarmament was contradicted by the adoption of ‘dissuasion’ as an explicit strategic objective in Bush administration national security doctrine documents.²⁴ Dissuasion was defined as keeping such a significant military advantage over another state that it would be deterred from even pursuing weaponry to counter that advantage, a doctrine that implicitly rejects US nuclear disarmament as a long-term objective. The dissuasion goal was explicitly adopted in the 2005 draft JCS doctrine, but even before that document was released, these aspects of the Bush administration’s nuclear doctrine did not go unnoticed inside government and press circles in the capitals of many non-nuclear-weapons states.²⁵

A no-first-use declaration would also usefully end the current inconsistency regarding US negative security assurances and the calculated ambiguity policy. Such a change in US declaratory policy could have a positive impact at the 2010 NPT Review Conference as an important step towards satisfying non-nuclear-weapons states that the nuclear-weapons states have honoured their Article VI commitment to work in good faith to eliminate nuclear weapons.²⁶ It is worth remembering that all parties agreed to include a statement in the final consensus document at the 2000 NPT Review Conference calling for ‘a diminishing role for nuclear weapons in security policies to minimize the risk that these weapons ever be used and to facilitate the process of their total elimination’.²⁷ A no-first-use declaration would help address that concern.

Options on the table

A US no-first-use declaration would also enhance US non-proliferation objectives by increasing international diplomatic support for tougher diplomatic measures against potential proliferators. Recent attempts to use coercive diplomacy against Iran illustrate the point. Bush and Cheney repeatedly hinted in 2006 and 2007, by noting that ‘all options are on the table’, at US plans to use military force to attack Iran’s nuclear programme if diplomatic efforts and UN sanctions failed to persuade Tehran to give up its uranium-enrichment and other facilities. In April 2006, journalist Seymour Hersh sparked an international controversy by reporting that the US contingency attack plans that had been sent to the White House included the option of using tactical nuclear weapons to destroy Iranian underground facilities.²⁸ At a press conference on 18 April 2006, Bush pointedly left open the possibility that his statements were meant to include the option of a preventive first strike with nuclear weapons:

Q: Sir, when you talk about Iran, and you talk about how you have diplomatic efforts, you also say all options are on the table. Does that include the possibility of a nuclear strike? Is that something that your administration will plan for?

THE PRESIDENT: All options are on the table.²⁹

It is not clear whether Bush was engaging in coercive diplomacy, following the ‘calculated ambiguity’ nuclear doctrine, or whether he was simply following the script laid out in his notes. In response to this press-conference comment, however, Iran’s UN ambassador, Javad Zarif, immediately protested, in a letter to UN Secretary-General Kofi Annan, against what he called ‘a tacit confirmation of the shocking news on the administration’s possible contemplation of nuclear strikes against certain targets in Iran’.³⁰ British Foreign Minister Jack Straw also joined the debate, answering ‘yes’ when a BBC reporter asked him if the UK government would ‘unequivocally say we want nothing to do with this’ if the United States attacked Iran, and adding that ‘the idea of a nuclear strike on Iran is completely nuts’.³¹

The point is not that potential veiled US nuclear threats were in any way the cause of Iran's nuclear-weapons programme, which began long before the Bush administration took office. But US nuclear threats, intentional or not, both play into the hands of domestic forces in Iran that favour developing nuclear weapons and reduce international diplomatic support for coercive diplomatic efforts to pressure Iran to end its defiance of UN Security Council resolutions requiring suspension of its enrichment programme. If the United States were to adopt a no-first-use doctrine, the temptation for US politicians to resort to veiled nuclear threats as part of coercive diplomacy against Iran or other potential proliferators would be reduced, as would the ability of Tehran to claim it faces nuclear threats.

Posture and proliferation

US officials have long claimed that US nuclear declaratory policy and posture have no influence on new or potential nuclear proliferators' decisions on whether to acquire nuclear weapons or how to integrate them into military doctrine. During the Clinton administration, for example, then Deputy Secretary of Defense John Deutch testified that 'there is no connection between our nuclear posture and what India and Pakistan do or what Israel does'.³² In March 2004, Ambassador Linton Brooks, then head of the National Nuclear Security Administration, similarly maintained that 'rogue state proliferation ... marches forward independently of the U.S. nuclear weapons program'.³³ Although we know little about how many current or potential proliferators, such as North Korea or Iran, make decisions about proliferation options or potential nuclear-weapons uses, for others there is a great deal of information. It suggests that US behaviour, including nuclear posture and doctrine, is in fact highly influential.

The best example is India since its 1998 weapons tests. In 1999, for example, the Indian Draft Nuclear Doctrine, prepared by the newly created National Security Advisory Board (NASB), recommended a caveat that permitted first use of nuclear weapons against non-nuclear states allied to a nuclear power: 'India will not resort to the use or threat of use of nuclear

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weapons against states which do not possess nuclear weapons, *or are not aligned with nuclear weapons powers*'.³⁴ This subtle alteration of traditional Indian doctrine was a close copy of the US negative security assurances from the 1980s that included the identical exception clause to permit targeting the forces of the Soviet Union and its allies and urban-industrial targets in the event of a major war in Europe.³⁵ Even more dramatically, in January 2003, New Delhi adopted a doctrine including the explicit threat of nuclear first use in response to biological- or chemical-weapons use; evidence again suggests they were copying the United States and other nuclear states. Indeed, in December 2002, the National Security Advisory Board reportedly recommended a complete abandonment of no-first-use by the Indian government.³⁶ Its rationale reportedly focused directly on the perceived need for India to follow in the doctrinal footsteps of the other nuclear-weapons states: 'India must consider withdrawing from this [no-first-use] commitment as the other nuclear weapons-states have not accepted this policy'.³⁷ An unidentified member of the board was quoted in the press making a similar argument tying Indian policy to that of the P5 nuclear powers: 'all five nuclear weapon states ... reserve the right to launch nuclear weapons first. Then why should India not do so?'³⁸

India's movement away from a strict no-first-use policy is alarming: it makes it more likely that India would use nuclear weapons in a future conflict with Pakistan. It also enhances the pressures inside India to develop a larger and more diverse nuclear arsenal. The signalling and legitimising effects of US nuclear doctrine are by no means the only factors leading to such trends in India, but they should not be minimised. A US no-first-use declaration would likewise have at least some positive influence in pushing India in the opposite direction.

Addressing objections

The first of three common objections to US adoption of a declaratory policy of no first use is that it would rule out pre-emption or preventive strikes, which may be deemed necessary for US security in the future. This is not true. Military planners would simply develop pre-emptive or preventive contingency plans for conventional forces only. This might make such plans

more credible in general, as being politically more likely to be executed, even at some cost in terms of military effectiveness in a small number of specific scenarios.

The second objection is that no-first-use declarations are simply not believable. For example, the late Michael Quinlan wrote in 2007 that ‘I have never seen merit in promises of “no first use” – such promises are in the last analysis mere window-dressing that can not change reality’.³⁹ This sweeping criticism is unpersuasive for three reasons. Firstly, military leaders pay close attention to declaratory policy in ways that influence their plans and proclivities, at least in the United States. Secondly, declaratory policy is not about making ‘promises’ about future restraint; it is about signalling intent and therefore shaping the expectations of allies and adversaries alike, even if some residual uncertainty remains. Thirdly, no-first-use doctrines can be made more credible (that is, more likely to be believed), to the degree that nuclear operations – the alert levels, military exercises, and deployments that produce the perceptions of ‘reality’ on which Quinlan rightly focused – conform to such a doctrine. If a US declaration of no first use were followed by a decision to take US strategic nuclear weapons off their current high state of alert or if a major R&D programme to develop conventional offensive and defensive forces against chemical and biological weapons were instituted, for example, the credibility of a no-first-use declaratory policy would be significantly enhanced.

The final objection to no first use is that it assumes an unwarranted degree of certainty about future military threats. This appears to be the logic behind the 1993 proposal by McGeorge Bundy, William Crowe and Sidney Drell to support a ‘defensive last resort doctrine’ instead of a more strict no-first-use doctrine:

In recognizing the possibility of a future case in which there might be justification for a use of nuclear weapons in a defensive last resort, we are simply resisting the notion that our country can be certain, a priori, that there will never be a case when such use might be the least bad choice.⁴⁰

This concern is legitimate and raises the possibility of a future deterioration of relations with either Russia or China. This objection against adopting

a no-first-use doctrine now, however, rests on the assumption that the United States could not reverse itself, changing its doctrine and developing appropriate military operational plans in sufficient time to meet emerging threats. Other nuclear states – Russia in the 1990s, India in 2003 – have reversed no-first-use doctrines when new perceived threats were deemed important enough. These developments may have been unfortunate in terms of broader trends in nuclear strategy and global norms about nuclear use, but they serve as reminders that changes in nuclear doctrine are not irreversible. A downturn in US–Russian or US–Chinese relations sufficiently severe to produce a need for a nuclear-first-use policy would provide ample warning time for military planners. In short, should the United States face emerging strategic threats that cannot be met by other means, a return to earlier nuclear postures and doctrines would be possible.

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The forthcoming US Nuclear Posture Review should include a thorough cost–benefit assessment of movement toward a no-first-use declaratory policy. Such an assessment should broaden the traditional focus of such policy reviews on deterrence ‘requirements’ and also include an analysis of how US nuclear declaratory policy influences the likelihood of nuclear proliferation, the consequences of proliferation, and perceptions of the illegitimacy of nuclear terrorism. Strategic logic and evidence suggest that a US no-first-use doctrine would have fewer costs and bring greater benefits than commonly recognised. Serious diplomatic issues remain to be addressed, especially how best to consult with NATO and other allies and how to encourage other nuclear-weapons states, particularly the Russian Federation, to reduce their reliance on nuclear weapons. The seriousness of these concerns, and the best strategies for addressing them, cannot be determined in the abstract, without an assessment of the benefits of doctrinal change. A more thorough and broader analysis within the government of no-first-use policy is well overdue.

Notes

- 1 'Remarks of President Barack Obama', 5 April 2009, available at <http://prague.usembassy.gov/obama.html>.
- 2 Department of Defense, *Nuclear Posture Review Report [Excerpts]*, submitted to Congress 31 December 2001, p. 1, available at <http://www.globalsecurity.org/wmd/library/policy/dod/npr.htm>. For detailed analyses of the 2001 NPR see Roger Speed and Michael May, 'Assessing the United States' Nuclear Posture', in George Bunn and Christopher F. Chyba (eds), *US Nuclear Weapons Policy* (Washington DC: Brookings Institution Press, 2006), pp. 248–96; and Keith Payne, 'The Nuclear Posture Review: Setting the Record Straight', *Washington Quarterly*, vol. 28, no. 3, Summer 2005, pp. 135–51.
- 3 Department of Defense, *Nuclear Posture Review Report*, p. 2.
- 4 See, for example, McGeorge Bundy, George F. Kennen, Robert S. McNamara and Gerald C. Smith, 'Nuclear Weapons and the Atlantic Alliance', *Foreign Affairs*, vol. 60, no. 4, Spring 1982, pp. 753–69.
- 5 On no first use see Jack Mendelson, 'NATO's Nuclear Weapons: The Rationale for No First Use', *Arms Control Today*, July–August 1999; on defensive last resort see McGeorge Bundy, William J. Crowe, Jr and Sidney D. Drell, 'Reducing Nuclear Danger', *Foreign Affairs*, vol. 72, no. 2, Spring 1993, pp. 140–56.
- 6 See Walter Pincus, 'Pentagon Revises Nuclear Strike Plan: Strategy Includes Preemptive Use Against Banned Weapons', *Washington Post*, 11 September 2005, p. A-01; Hans M. Kristensen, 'White House Guidance Created New Nuclear Strike Plans Against Proliferators, Document Shows', http://www.fas.org/blog/ssp/2007/11/white_house_guidance_led_to_ne.php.
- 7 On the difficult process of civilian management of nuclear doctrine see Scott D. Sagan, *Moving Targets: Nuclear Strategy and National Security* (Princeton, NJ: Princeton University Press, 1989); and Janne E. Nolan, *Guardians of the Arsenal: The Politics of Nuclear Strategy* (New York: Basic Books, 1989).
- 8 *Doctrine for Joint Nuclear Operations*, Department of Defense Joint Publication 3-12, 15 March 2005, available at http://www.globalsecurity.org/wmd/library/policy/dod/jp3_12fc2_15mar2005.htm.
- 9 See 5 December 2005 letter to President George W. Bush, <http://www.house.gov/tauscher/Press2005/12-05-05.htm>; Hans Kristensen, 'Pentagon Cancels Controversial Nuclear Doctrine', *Nukestrat/Federation of American Scientists*, 2 February 2006, <http://www.nukestrat.com/us/jcs/canceled.htm>.
- 10 *Hansard Written Answers*, vol. 442, pt 96, 20 January 2006, col. 1651w, <http://www.publications.parliament.uk/pa/cm200506/cmhansrd/v0060120/text/60120w10.htm>.
- 11 Morihiro Hosokawa, 'Are U.S. Troops in Japan Needed? Reforming the Alliance', *Foreign Affairs*, vol. 77, no. 4, July–August 1998, p. 5.

- 12 'Rice Reassures Japan', <http://www.cnn.com/2006/WORLD/asiapcf/10/18/nkorea.sanctions/index.html>.
- 13 NATO, 'The Alliance's Strategic Concept', 24 April 1999, <http://www.nato.int/docu/pr/1999/p99-065e.htm>.
- 14 Helmut Schmidt, Richard von Weizacker, Egon Bahr and Hans-Dietrich Genscher, 'Toward a Nuclear Free World', *International Herald Tribune*, 9 January 2009, <http://www.iht.com/articles/2009/01/09/opinion/edschmidt.php>.
- 15 As quoted in Dana Priest and Walter Pincus, 'U.S. Rejects "No First Use" Atomic Policy: NATO Needs Strategic Option, Germany Told', *Washington Post*, 24 November 1998, p. A24.
- 16 National Strategy to Combat Weapons of Mass Destruction [unclassified version], NSPD-17/HSPD 4, December 2002, available at <http://www.fas.org/irp/offdocs/nspd/nspd-17.html>.
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