

Ethical Dimensions of a World without Nuclear Weapons

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Before I begin my brief reflections on the ethical dimensions of a world without nuclear weapons, I want to thank Notre Dame's Kroc Institute for International Peace Studies, the Reilly Center for Science, Technology and Values, and the Center for Social Concerns for sponsoring this event. And I want especially to thank you, Secretary William Perry, for making the long trek from our great state of California to join me in addressing what has been for six decades—and remains!—the most momentous issue of ethics, security, and policy that we face. I know it was not easy for you to come all the way from Stanford today, so let me make a suggestion. Do what I've done and come and spend a few weeks at Notre Dame next Fall. It's a marvelous place, the weather will remind you of the Bay Area—at least early in the Fall—and you can time your visit to see the Irish beat Stanford. [We cardinals generally take great pride in our ability to be collegial. But this Cardinal is looking forward to seeing the Irish wallop your Cardinal in a few weeks.]

Dr. Entrikin mentioned that I was a member of the committee that drafted two of the US bishops' statements on nuclear weapons that followed on their 1983 pastoral letter on nuclear weapons, *The Challenge of Peace*. That pastoral received an enormous amount of attention at the time and is still considered a seminal document on the ethics of nuclear weapons. George Kennan, for example, described it as "the most profound and searching inquiry [into nuclear ethics] yet conducted by any responsible collective body." I'm delighted to hear that it continues

to be required reading in many courses here at Notre Dame. And it has special meaning for the Kroc Institute, whose founding was in part a response to the pastoral letter. While the pastoral's ethical analysis of nuclear weapons is well known, one element of that analysis is less so: the bishops' call for moving toward a mutual, verifiable ban on all nuclear weapons.

In the past few years, Secretary Perry and his colleagues, Henry Kissinger, George Schultz, and Sam Nunn, have led efforts to mainstream this idea, which was dismissed in 1983 as, at best, a naïve and utopian dream, and, at worst, a dangerous undermining of U.S. nuclear policy. They have inspired a global chorus of prominent military and political figures—including President Barack Obama and President Dmitry Medvedev—to endorse nuclear disarmament, not just as a moral ideal, but as a policy goal.

The US Catholic bishops—and many other religious leaders—have provided a moral vision and a moral rationale for nuclear disarmament. Through our education and advocacy efforts, we have also helped “democratize” what is an otherwise exceedingly elite debate. But we religious leaders are not able to do what Secretary Perry has been doing so eloquently and effectively: convincing people that a ban on nuclear weapons is feasible and proposing a practical program for achieving that goal in a way that ensures that the cure (disarmament) is not worse than the disease (deterrence). It is good that defense experts and moral leaders are working together on the nuclear question because it is particularly effective when moral clarity and strategic analysis align in service to the same goal.

What I will do in my remarks is to lay out the U.S. Catholic bishops' moral and policy framework for nuclear disarmament. I will leave to Secretary Perry the harder task of telling you how we can get from here to there.

The starting point for Catholic reflection on nuclear weapons is the life, dignity, and rights of the human person. From the dignity and rights of the human person arise the obligation of individuals and states to promote peace and defend the common good. The Church's rich tradition of reflection on war and peace cannot be easily summarized. But what drives this tradition of reflection is an effort to come to terms with the Christian imperatives to love our neighbor, not least those we consider to be enemies; to respect and defend human life and dignity, and the common good; and to be peacemakers. The just war tradition has been developed by St. Augustine, St. Thomas Aquinas, and many others in an effort to come to terms with the difficult moral dilemmas that arise in trying to live out these teachings. As part of the living tradition of the Church, the Church's teaching on war and peace continues to develop as the Church faces new moral questions—and few are more urgent than those posed by the awesome and unprecedented power of nuclear weapons.

Three principles of the just war tradition are particularly applicable to the Church's evaluation of nuclear weapons: discrimination, proportionality, and probability of success.

First Principle, Discrimination: For an act of war to be just, it must discriminate between combatants and noncombatants. One cannot intend to slaughter innocent civilians. The moral problem with nuclear weapons, of course, is that their destructive power make it very difficult to discriminate between combatants and noncombatants. Even if a single use of a low yield nuclear weapon could be discriminate, the risk of escalation into nuclear war fighting would cause death and destruction that go far beyond the bounds of legitimate defense.

The Second Vatican Council had the firebombing of cities during World War II and nuclear weapons in mind when it declared that, "Any act of war aimed indiscriminately at the

destruction of entire cities or extensive areas along with their population is a crime against God and humanity. It merits unequivocal and unhesitating condemnation.”¹

The principle of discrimination also has special relevance to the goal of preventing terrorists from acquiring nuclear materials or a nuclear weapon. By definition, acts of terrorism violate just war norms; they fail to discriminate between soldiers and civilians. Keeping weapons of mass destruction out of the hands of non-state actors and terrorists is not only a critically important policy goal, it is a moral imperative. By exercising leadership in promoting nuclear disarmament, the United States sets an example for other nations to refrain from developing nuclear weapons. Fewer programs to develop nuclear weapons mean less nuclear fissile material is available to fall into the hands of terrorists.

Second Principle, Proportionality: For the use of force to be just, the evil caused must be proportionate to the good one reasonably expects to achieve. The death and destruction caused by the use of force cannot be out of proportion to the goal of protecting human life and human rights. For example, one cannot liberate a city by obliterating it. This is a high moral bar for nuclear weapons. Their raw destructive capacity and lingering radiation make their use morally problematic.

Third Principle, Probability of success: Consistent with the principle of proportionality, the use of force must have serious prospects of success. But what would success look like in a nuclear war? It is hard to imagine. As Pope Benedict reminds us:

What can be said ... about those governments which count on nuclear arms as a means of ensuring the security of their countries? ... [O]ne can state that this point of view is not only baneful but also completely fallacious. In a nuclear war there would be no victors, only victims. ²

In light of these moral criteria, in our 1983 pastoral, the bishops reiterated the Council's categorical rejection of nuclear use against civilian populations, opposed the first use of nuclear weapons, and expressed deep skepticism about the morality of even a limited retaliatory, or second, use. In a 1993 statement, *The Harvest of Justice is Sown in Peace*, the bishops emphasized our deep skepticism about the morality of use in saying: "we abhor any use of nuclear weapons."³

A moral evaluation of the use of nuclear weapons is, in many ways, less complicated than the moral evaluation of nuclear deterrence. As with other Church statements, the Second Vatican Council acknowledged the role of deterrence in preventing nuclear war but was highly skeptical of deterrence as a long term basis for peace: "[T]he arms race ... is not a safe way to preserve a steady peace. Nor is the so-called balance resulting from this race a sure and authentic peace."⁴ In accord with the Council and subsequent papal statements, the bishops' peace pastoral proposed an "interim ethic" whereby nuclear deterrence could be morally acceptable under three strict conditions:

First is the sole use criterion: nuclear deterrence should be limited to deterring the use of nuclear weapons and not expanded to include nuclear-war fighting strategies or using nuclear weapons to deter against nonnuclear threats.

Second is the sufficiency criterion: the goal should be to have only enough weapons necessary to deter against nuclear use, not enough weapons to achieve nuclear superiority.

Third is the disarmament criterion: deterrence must be used as a step toward progressive disarmament.

What is important about this strictly conditioned moral acceptance of deterrence is that the ethical analysis of deterrence is tightly linked to a *nonnuclear* ethic—that is, an ethic of

nonproliferation and abolition. In other words, all countries have an obligation to do their part both to prevent proliferation and to negotiate a verifiable global ban on nuclear weapons.

In order to counter the idea that nuclear deterrence is an end in itself, Church statements since the end of the Cold War have dramatically shifted their emphasis from the reluctant acknowledgement of the need for a strictly limited deterrent to the need to embrace a nonnuclear ethic. In a major address on nuclear weapons this past July, Archbishop Francis Chullikatt, the Permanent Observer of the Holy See to the United Nations, noted that the Church's efforts have been focused on challenging what he calls, "the institutionalization of deterrence."⁵

How can the Church be decrying the "institutionalization of deterrence" when the risk of nuclear war between the Cold War rivals has virtually disappeared along with entire categories of weapons (e.g., the INF Treaty), when the deployed arsenals of the United States and Russia are a fraction of what they were when the bishops wrote their peace pastoral, and when several nuclear or near-nuclear powers have forsworn nuclear weapons? Clearly, these and other steps represent significant moral accomplishments and are in keeping with the bishops' moral criteria. But, as the bishops have repeatedly pointed out, this progress on nuclear disarmament is not commensurate with either the new opportunities afforded by the end of the Cold War or the morally intolerable risks that the institutionalization of deterrence and the proliferation of nuclear weapons still pose to the future of the human race.

The "institutionalization of deterrence" has several characteristics. First, the doctrine of deterrence has become a permanent, not a temporary, rationale for spending vast sums to maintain and modernize nuclear arsenals for the indefinite future. The \$85 billion the United States is committing to maintaining and modernizing its nuclear weapons complex as the price for ratification of the New START Treaty last year is an example.

A second characteristic of the institutionalization of deterrence is that the nuclear powers “irresponsibly” refuse to enter a process of negotiations aimed at mutual, assured and verifiable nuclear disarmament.

Third, the institutionalization of deterrence reinforces the moral double standard of the nuclear powers. In the words of Archbishop Chullikatt, “There can be no privileged position whereby some states can rely on nuclear weapons while simultaneously denying that same right to other states.”

Finally, the institutionalization of deterrence is part of what Vatican II condemned as a “theft from the poor,” in which billions of dollars continue to be spent on nuclear arsenals while urgent development needs go unmet.

Let me be clear what the Church is and is not saying about nuclear weapons. The Church is a long-term nuclear pacifist. The Church abhors any use of nuclear weapons, finds the nuclear status quo morally unacceptable, and is convinced that the moral imperative is to move carefully but courageously toward a mutual, verifiable global ban on nuclear weapons. The Church does not reject the need to deter the use of nuclear weapons—that is a moral imperative—but she does reject the view that *nuclear* deterrence is the only option in the long-term, a permanent component of security in a nuclear age. Rather, the Church insists that it is nuclear disarmament, not nuclear deterrence, that is a long-term basis for security.

Supporters of U.S. nuclear policy over the past 30 years have found little to comfort them in the bishops’ strictly conditioned moral acceptance of deterrence. The bishops have criticized the rapid deployment of missile defense and other destabilizing nuclear policies, as well as the failure of the United States to adopt a no-first use policy or to forswear the use of nuclear weapons against non-nuclear threats. And they have also continually called for much deeper

cuts in still bloated nuclear arsenals. The New START Treaty is a modest, but important, next step down the road of nuclear disarmament. But much more must be done.

Archbishop Edwin O'Brien of Baltimore, then head of the Archdiocese of Military Services, spoke in Paris at the second annual Global Zero Summit in February of last year. He said that, as we look ahead, "Every nuclear weapons system and every nuclear weapons policy should be judged by the ultimate goal of protecting human life and dignity and the related goal of ridding the world of these weapons in mutually verifiable ways."⁶

Some specific steps that could be taken in keeping with that overarching criterion include

- ratifying and bringing into force the Comprehensive Test Ban Treaty;
- reducing our nation's reliance on nuclear weapons, as the new Nuclear Posture Review begins to do;
- securing nuclear materials from terrorists as called for at the Nuclear Security Summit;
- adopting a Fissile Material Cut-Off Treaty to prohibit production of weapons-grade material; and
- strengthening the International Atomic Energy Agency.

These and other policy measures represent only partial steps on the way to nuclear disarmament.

Secretary Perry and other military experts have done ground-breaking work on the complex strategies that must be pursued for a ban on nuclear weapons to become a reality. Similar ground-breaking work must be done by ethicists on the moral issues that arise as the world moves towards nuclear disarmament.

For example, in Catholic moral theology, it is immoral to threaten that which it is immoral to do. As the nuclear powers move to the “minimum deterrent” that the bishops call for and that is considered the next step in the nuclear disarmament process, will there be an increased tendency to move to the targeting of cities that the Church has unequivocally condemned? Clearly, the bishops’ would not countenance such a deterrence strategy.

A related issue involves the role of deterrence once we get to zero. Moving to zero could make nuclear weapons even more valuable, more usable and more destabilizing, since keeping or building even a few nuclear weapons could offer a strategic advantage. Such nuclear cheaters might be deterred if some countries retained the capacity to quickly rebuild their nuclear arsenal or maintained overwhelming conventional forces. But would a world in which a few powers continue to dominate in such ways be morally acceptable? Would a nuclear arms race be replaced with a conventional arms race?

A third issue for ethicists to consider is missile defense, which the bishops have opposed. In the context of large nuclear arsenals, the bishops have been concerned that deployment of missile defenses would offer limited real defense against nuclear attacks, yet would be destabilizing and excessively costly. But in a world of few or no nuclear weapons, would the ethical analysis be different? Would the kind of shared missile defenses that President Reagan proposed offer the kind of safeguard needed for a global ban on nuclear weapons?

Fourth, what are the moral limits on counter-proliferation? The Church was outspoken against the use of the preventive war doctrine to justify the 2003 intervention in Iraq. As the world gets close to zero, will a new doctrine of preventive force emerge to deal with proliferators and cheaters?

Finally, nuclear abolition is a long-term objective that ultimately is as much about politics as it is about arms control. The U.S. bishops have consistently tied their calls for movement towards nuclear disarmament to calls for the development of an ethic of cooperative security. A world that relies less or not at all on nuclear weapons for security will not face the risk of global annihilation. But it will be a more peaceful world only if we find better and more effective ways to build peace. I do not mean just the negative peace of avoiding the use of nuclear weapons or other weapons of war, or ending our reliance on nuclear deterrence. I mean the peace that our faith calls us to: the peace that Isaiah calls “an enterprise of justice”.⁷ Ultimately we must work for the kind of peace that the United States, Germany, and Japan achieved in the relatively short time since World War II.

The United States has an especially heavy moral burden to bear. The United States and the other nuclear powers have imposed incalculable and intolerable risks on the whole of humanity. And ours is the only country ever to use atomic weapons in war. Moreover, the United States has enormous power and influence. For all these reasons, our country has a special responsibility to take the lead in reducing and ultimately banning nuclear weapons, and in developing the institutions and practices of cooperative security that will make that more likely and more sustainable.

Achieving this vision requires the kind of creative policy proposals that Secretary Perry and others have developed in recent years. It also requires further ethical reflection on the new moral issues that arise as the world goes to zero. But, in the end, it requires something more. A rejection of the sin of despair which has convinced us that we can never escape the nuclear predicament in which we find ourselves. In its place, we must embrace the virtue of hope. We must not be naïve about the real risks and daunting challenges involved in moving to nuclear

zero. But while we cannot dis-invent nuclear weapons, like biological and chemical weapons, we have a moral obligation and an ability to ban them.

¹ Second Vatican Council, *Gaudium et Spes*, no. 80.

² Pope Benedict XVI, *2006 World Day of Peace Message*, no.13.

³ United States Conference of Catholic Bishops (USCCB), *The Harvest of Justice Is Sown in Peace* (Washington, D.C.: USCCB, 1993), p. 33

⁴ *Gaudium et Spes*, #81.

⁵ Archbishop Francis Chullikat, “The Nuclear Question: The Church’s Teachings and the Current State of Affairs,” Kansas City, July 1, 2011.

⁶ Archbishop Edwin O’Brien, Remarks at Global Zero Summit, Paris, February 3, 2010.

⁷ Is. 32:17.