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**MORALITY OF WEAPONS OF MASS DESTRUCTION: A CASE STUDY OF THE
ATOMIC BOMBINGS OF HIROSHIMA AND NAGASAKI**

By

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Abstract

While widespread until the 1990's, discussions on the morality of weapons of mass destruction have rapidly declined in recent years. However, nuclear weapons remain an issue in U.S. national security and a key player in international relations, providing a nation with an elevated status and powerful deterrent against external aggression. This paper analyzes *Just War Theory* and applies the criteria to evaluate the morality of modern weapons of mass destruction in hypothetical situations. The criteria are also applied to the sole employment of a nuclear bomb in warfare, the U.S. against Japan in World War II, to determine if this was a moral action.

Acknowledging war is inevitable in civilizations, *Just War Theory* provides structure to moral arguments in the form of *jus ad bellum* (just reason for going to war), *jus in bello* (just actions in war), and *jus post bellum* (justice after war). *Just war* criteria were applied to situations in which weapons of mass destruction (chemical, biological, and nuclear) might be used in warfare. With few exceptions, the *jus in bello* principles of discrimination and proportionality would be violated, thereby making the employment of these weapons unjust. Morality of nuclear deterrence has the most variance in opinions, ranging from immoral from the threat of indiscriminate destruction to sanctioning by Pope John Paul II as morally acceptable “as a step on the way toward progressive disarmament.”

Finally, the atomic bombing of Hiroshima and Nagasaki as evaluated against *just war* criteria appears to be immoral. However, when given the overall context of the situation leading up to that event, the bombings may be considered as excusable in that particular state of affairs. Overall, weapons of mass destruction will continue to play a role in U.S. policy, with deterrence against external aggression by state actors being the most effective use of nuclear weapons.

INTRODUCTION

Weapons of mass destruction (WMD) are a topic that can be viewed daily in the news, ranging from the proliferation in countries such as North Korea and Iran to nuclear warhead arsenal reductions between Russia and the United States. Since the end of the Cold War, nuclear weapons are no longer deemed as necessary among many leaders, giving the impression that nuclear disarmament may finally be possible in ways never before envisioned. While reduction and non-proliferation of these weapons is an honorable goal, the unfortunate reality is ownership of a weapon of mass destruction provides a nation with an elevated status, granting security and a deterrent against external aggression. In addition, terrorists' organizations seek to acquire weapons of this type in an attempt to push their own agenda or hold hostage a nation through the fear of employment against the civilian populace. Because of the status and power granted to those with weapons of mass destruction, it is likely these weapons will continue to play a role in national strategy for many years.

Through the decades, the morality of WMDs has been discussed in depth following the United States use of the atomic bomb nearly sixty-five years ago over the Japanese cities of Hiroshima and Nagasaki. In the 1990's, morale issues surrounding nuclear weapons seemed to disappear from public discussion, although the weapons themselves remain. Although there have been instances in the past when nuclear options were considered, no nation has ever violated the nuclear taboo and used them, yet the reluctance of nuclear nations to completely disarm and the desire of new nations to acquire them remains. Because of this, it is important for military officers to understand the impacts and moral implications of these weapons and their potential role in military operations. This paper discusses the morality of weapons of mass destruction as determined through the criteria established in *Just War Theory*, and concludes that

by following a strict set of guidelines, there may be morally acceptable uses for these weapons in warfare. Despite this, the taboo of weapons of mass destruction will persist; therefore, their primary purpose will be as a deterrent to prohibit other nations from using them in warfare. A case study of the atomic bombings over Hiroshima and Nagasaki is used to provide a real-world example of the United States' use of that WMD, with the factors leading up to that decision to determine if it was a justified action and if it could be again in the new century.

JUST WAR THEORY SUMMARIZED

Theories of just causes and proper moral conduct in war have been discussed since the days of ancient Greek philosophers. Through the years the idea of just war developed a strong foundation in Christian theology, and war was ultimately deemed a matter of necessity. St. Augustine (354-430 A.D.) believed war could be used to restrain evil and protect the innocent, specifically by employing an army to stop an enemy force that would willingly injure innocents in pursuit of their own interests.¹ Additionally, a *just war* stressed the importance of a pure motive, and was not to be exploited as an opportunity to seek revenge.² *Just war* was later codified into international law by Alberico Gentili and Hugo Grotius beginning in the 1500's. In the twentieth century, Michael Walzer wrote *Just and Unjust Wars* and has become one of the most notable *just war* thinkers of modern times.

Opinions on *just war* have ranged from the Pacifists who believe all war is immoral to the Realists such as Thucydides and Hobbes who maintained war is unavoidable and aggression is necessary to defend interests, which is more of a non-moral stance (do whatever is necessary). *Just War Theory* dominates the middle of the two extremes, acknowledging war will happen but

seeking to apply moral criteria to guide conduct when it does. Two basic tenets have provided the groundwork for *Just War Theory*: *jus in bellum* (just cause for going to war) and *jus in bello* (proper conduct in war). Recently, a third criterion has been suggested, *jus post bellum* or justice after war.

Various criteria are applied to *Just War Theory* to provide a structure to the moral arguments for *jus ad bellum* and *jus in bello*. A basic understanding of these criteria is required to present a moral argument for or against weapons of mass destruction. In *The Morality of War*, Brian Orend states that the *just war* categories must be morally linked, with *jus ad bellum* setting the tone for everything else that follows. This is to ensure a “check list” approach to *Just War Theory* is not used for all situations without regard given to the overall context of a particular conflict.³ There are six generally accepted principles of *jus ad bellum*: just or righteous cause, legitimate authority, good intentions, likelihood of success, proportionality and last resort. There are two primary principles associated with *jus in bello*; discrimination and proportionality. In addition to the principles of *jus ad bellum* and *jus in bello*, the topics of doctrine of double effect and supreme emergency are discussed as exemptions to *Just War Theory*.

First I will begin with a brief description of each of the *jus ad bellum* principles. These rigorous conditions must be met if the decision to go to war is to be morally permissible.⁴

A. Just cause is provided if a nation or its ally has been victimized and there is a need to defend either, or if the international community must intercede in a nation for humanitarian reasons.

B. Next, only legitimate authorities may initiate a *just war*. This would include the governing authority of a nation or possibly the Security Council of the United Nations, but would exclude independently operating organizations such as the terrorist group al-Qaeda.

C. The good intentions principle means a nation enters a war and conducts itself strictly in line with the just cause that prompted it to go to war. For example, if a nation is victimized, it may defend itself to stop the aggression, but cannot use this as an excuse to gain new territory it has coveted. In addition, this principle includes avoiding unnecessarily destructive acts or imposing unreasonable conditions such as unconditional surrender.⁵

D. The fourth and fifth *jus ad bellum* principles of likelihood of success and proportionality are interrelated in that a nation should have a reasonable chance of success and the costs of the war should not outweigh the good expected by taking up arms. This is particularly relevant in the age of weapons of mass destruction where damage can be great. These two principles are very subjective but in general, if a nation has no hope of success without great loss, the leaders should not initiate war.

E. Finally, the last resort principle implies all further diplomatic efforts would be meaningless, and is included in *jus ad bellum* to encourage cool heads to prevail over trigger-happy responses.⁶

This summarizes the criteria for a nation to justly go to war; now we will discuss the *Just War Theory* principles provided to guide moral conduct in warfare.

Even when *jus ad bellum* criteria have been validated, the conduct of war remains subject to continuous scrutiny. This is especially relevant today because of the destructive capability of modern technological warfare.⁷ The first and perhaps most important principle in *jus in bello* is discrimination. In essence, soldiers charged with the deployment of armed force must make every effort to discriminate between legitimate and illegitimate targets, with a legitimate target being one engaged in harming actions.⁸ The lives and property of non-combatants should not be the intended targets of military violence.⁹ The goal of minimizing injury requires soldiers to

recognize those who qualify as legal combatants, with standards established in the Geneva Conventions of 1949.¹⁰ However, using the standards for identifying soldiers can be problematic because many of the irregular conflicts of the last century involved combatants not easily recognizable by distinctive uniforms or symbols, thus creating moral difficulties.

It is important to consider the types of weapons used when evaluating the principle of discrimination. For example, the key difference between a nuclear weapon versus a conventional bomb is due to the damage caused by radiation. This becomes a moral issue because the effects of radiation are difficult to control geographically and may endure generationally, testing the limits of discrimination.¹¹ Therefore, it is generally assumed that nuclear weapons cannot be employed if one is to fully adhere to the principle of discrimination; however, exceptional circumstances can be hypothesized. For example, a low yield tactical nuclear weapon being used on a remote military location such as a ship at sea with no threat to non-combatants may not violate the discrimination criteria.¹² However, a case like that would be highly improbable since most potential targets of value would likely be located in or near populated areas, where the effects from the blast or fallout would be disastrous.

The principle of proportionality was one of the criteria for *jus ad bellum* and is revisited in *jus in bello* as the proportion of force used against legitimate targets. This principle requires that the destruction needed to fulfill the goal is proportional to the good of achieving it.¹³ This principle may be difficult to evaluate as the context of the situation must be considered. It is suggested by Van Damme and Fotion that actions deemed immoral at the tactical level may be morally legitimate when viewed at the strategic level when all consequences are taken into account. Thus, when assessing the morality of a particular military action, the anticipated consequences of how an operation might justly help end a war more quickly should be

considered.¹⁴ Walzer states that “rules specifying how and when soldiers can be killed are by no means unimportant, and yet the morality of war would not be radically transformed were they to be abolished altogether.”¹⁵ His wording implies that the proportion of weapons employed is not as important as long as the principle of discrimination is not violated.

However, in reference to nuclear weapons, Walzer seems to make an exception to his previous statement on the requirement for a proportionality rule by declaring nuclear arms “explode the theory of just war.”¹⁶ Because of their excessive destructive nature, nuclear weapons may always run afoul of proportionality.¹⁷ The weighing of good versus evil effects from a massive nuclear strike, such as those caused by radioactive fallout, imply that this principle will always be violated. I argue that similar to the principle of discrimination, tactical use of lower yield nuclear weapons could theoretically be used without violating moral concerns with this principle. However, paraphrasing American Christian ethicist Paul Ramsey, the use of an H-bomb in a *just war* against a military target, while not against God’s law, is like using a sledgehammer to kill a fly.¹⁸ Therefore, if conventional weapons can suffice to meet the objective, there should be no reason to resort to the use of a nuclear bomb. The two principles of discrimination and proportionality must be applied to the range of nuclear, biological and chemical weapons with which nations are armed today to determine their morality.¹⁹

Even with nuclear weapons being highly destructive and indiscriminate, giving the impression of inherent immorality, the issue is not as simple as it would seem. There are a couple exemptions to *Just War Theory* that are relevant to discussions of morality in war. These exemptions are important for a thorough analysis when determining morality of weapons of mass destruction. The exemptions include the doctrine of double effect and supreme emergency.

The close proximity of legitimate targets such as a weapons factory near illegitimate ones like houses or schools raises a complex issue known as the doctrine of double effect. This doctrine assumes that when carrying out military operations on a legitimate target, there may be some unintended collateral damage, which results in a good and a bad effect. Ultimately, if the act, intentions, or direct effects of a military action are essentially good and moral, and the resulting evil effect is not one of the desired ends, it is permitted to perform an act likely to have negative consequences.²⁰

The two principles of discrimination and proportionality can be applied to the doctrine of double effect and may override each other. An example would be nuclear deterrence during the Cold War, in which the principle of proportionality was deemed more significant for the nation's survival that it outweighed violating the discrimination principle. In this case, the United States and Soviet Union each possessed nuclear weapons equally capable of mass destruction, and were proportional to each other. If one nation employed the weapon, the other nation would respond in kind. This would obviously result in massive casualties with the principle of discrimination completely violated, but the threat of taking this action was deemed necessary for each nation to survive the other. This complex relationship is one of the reasons deterrence is such a controversial topic with *just war* theorists.

Supreme emergency, although not written into international law, is an exemption allowing a victimized nation to set aside the rules of *jus ad bellum* and *jus in bello*. Walzer provides two criteria for declaring a supreme emergency, both of which must be valid: there is public proof the aggressor is about to defeat the victim militarily and that once it does so, the community faces imminent danger of extermination and/or enslavement.²¹ If these conditions exist, with the most well known example being Britain in the early 1940's, then the rules of *just*

war, to include targeting of civilian populations, can be suspended by the victim nation. However, once those supreme emergency conditions cease to exist, i.e. the victim nation is no longer under the threat of imminent extermination, the justification for deliberate civilian targeting dissolves.²² For example, in the early 1940's Churchill declared Britain to be under a state of supreme emergency, which justified the massive aerial bombing which occurred over German cities killing many non-combatants. However, from 1943-1945 Walzer states supreme emergency could no longer be considered a legitimate condition for Britain, so it may be hard to argue that the bombing which indiscriminately destroyed Dresden was a moral action.²³

MODERN WEAPONS OF MASS DESTRUCTION

Now that a basic overview of *Just War Theory* and associated exemptions has been accomplished, the application of these principles will be applied to determine the morality of weapons of mass destruction. The generally accepted definition for those that are weapon of mass destruction is chemical, biological, or nuclear. A brief overview of capabilities with each of these weapons is required when considering moral implications.

First, chemical weapons are those which produce their effects on a living target (man, animal, or plant) by virtue of their toxic chemical properties. In military operations, their primary purpose is to kill, seriously injure, or incapacitate people through physiological effects.²⁴ The effectiveness of chemical weapons is highly dependent on environmental factors and protection and defense are possible with breathing masks and proper clothing. There have been documented cases of chemical weapons used in the past century, from mustard gas in World War

I through Iraq's use against the Kurds. Chemical weapons can be considered the least destructive of the three types of WMDs, but also the easiest to acquire.²⁵

A biological agent is a microorganism that causes disease in man, plants, or animals or causes the deterioration of material. In biological warfare, these agents are directed at a military force in an effort to degrade the combat effectiveness of the target through mass casualties and death. These agents have the ability to reproduce themselves and are less predictable than chemical agents.²⁶ Biological weapons are dependent on environmental factors similar to chemical weapons, and because of the incubation period, immediate effectiveness on the battlefield may be limited. There has been minimal widespread use of these weapons in warfare, although many countries have developed them and Japan experimented with biological agents against the Chinese in World War II. Allegations of their uses since World War II have been made (typically during epidemics), but are unsubstantiated due to difficulty in detecting evidence of intentional employment.²⁷

Finally, nuclear weapons are the most destructive and notorious of the three weapons classified as WMDs but also the most difficult to acquire. A nuclear weapon is a device that releases nuclear energy in an explosive manner as the result of nuclear chain reactions involving the fission or fusion (or both) of atomic nuclei. The explosion from a nuclear blast will result in thermal and nuclear radiation, as well as precipitation of radioactive particulate matter from the resulting nuclear cloud.²⁸ The destructive power of nuclear weapons coupled with an inability to defend against them set nuclear weapons apart from other WMDs. This distinction as a weapon of annihilation led to a policy of deterrence which has persisted for decades and caused much disagreement in discussions of morality.

The disparity between the destructive potential of chemical and biological as compared to nuclear weapons raises questions on whether they should legitimately qualify as weapons of mass destruction. Authors Hashmi and Lee raise several interesting points on the destruction caused by conventional weapons not classified as WMDs, citing the aerial bombings of German and Japanese cities in World War II which caused more deaths than the atomic bomb used in Japan. They even discuss how the genocide in Rwanda resulted in the deaths of hundreds of thousands via a simple machete.²⁹ The point of their discussion is to show it is not necessarily the total people killed that classifies a weapon as one of mass destruction, but rather who ends up being the victim of the weapon's effects, which relates to the principle of discrimination. Because the nature of chemical, biological, and nuclear weapons generally prohibits discriminating between combatants and non-combatants, they are classified as weapons of mass destruction.

If used correctly, the effects from chemical or biological weapons would be felt not only in the initial strike, but later through biological mutations or environmental pollution.³⁰ Following the Iran-Iraq War in which chemical weapons were used, British physician Christine Gosden documented cases where genetic mutations were passed on to the following generation. In addition, chemicals in the groundwater destroyed much of the plant and animal life in areas near the attacks.³¹ When they have been used, chemical weapons were not very militarily effective and delayed onset of effects from biological weapons may not be apparent until after a battle. However, these weapons can do great damage to civilians, even if unintentional such as the spreading of a biological agent from a soldier to a passing non-combatant. It is through these enduring effects and indiscriminate nature that chemical and biological weapons may be

classified in the same category with nuclear, although nuclear weapons will always be thought of as distinct from the others from the imagery associated with their destructive potential.

Unlike nuclear weapons which are highly destructive at almost any yield, there is a vast range of effects from the lethal to non-lethal for chemical and biological weapons which result in interesting moral debates. A non-lethal biological agent such as the encephalitis virus would have the ability to incapacitate an enemy force while producing low mortality rates, which would seem to be more humane than bombing by conventional weapons which could result in high deaths and destruction of infrastructure. An agent like this may not violate the principle of proportionality since the enemy force would be out of the fight for a period to allow a military objective to be accomplished; however, they may suffer no long term consequences and the local infrastructure could remain mostly intact. On the other hand, based on what is known about the transmission of biological agents, it is likely even a non-lethal agent would violate the principle of discrimination, ultimately leading to negative effects at the strategic political levels. At the lethal end of the scale, a 1993 study suggested a plane delivering anthrax spores over Washington, D.C. could kill as many as 3,000,000 within a few weeks.³² Without a doubt the lethal agents violate the principles of proportionality and discrimination and would be highly immoral.

Chemical weapons also vary significantly in their effects, with many not intended to be lethal such as tear gases or various mind-altering substances. Similar to the argument applied to biological weapons, there is still the risk of violating the principle of discrimination with employing these weapons which make their use difficult to justify. Ultimately, even though some chemical and biological weapons are non-lethal, Francis Harbour warns against callously using these agents due to the risk of what he calls the “slippery slope.” He states there is always

a risk of escalation as evidenced from uses of chemical agents in World War I and Vietnam, with every reason to believe this escalation would happen again.³³

Summarizing chemical and biological weapons in relation to *Just War Theory*, it is technically feasible to use the non-lethal variety without violating the principle of proportionality. However, the inability to control their use once employed increase the risk to non-combatants and should preclude their use. This general opinion of chemical and biological weapons has resulted in the Biological Weapons Convention (BWC) and Chemical Weapons Convention (CWC) outlawing the production and stockpiling of these agents. Like many agreements at this level, enforcement may be difficult and not all nations see eye to eye regarding the terms. An exemption has been made for chemical riot control agents to be used for domestic law enforcement, although they are not permitted in warfare. Overall, the intentions for both the BWC and CWC are honorable, even if the enforcement may be difficult to apply.³⁴

The use of nuclear weapons offers much less ambiguity, with a near world-wide consensus on their inherent immorality. In practically every imagined use of a nuclear weapon, the principles of proportionality and discrimination will be violated because of the massive destructive potential, thereby making their employment immoral. As previously mentioned, it is theoretically possible for tactical nuclear weapons to be used on remote military locations which are legitimate targets. This has been discussed in U.S. policy in the past, although a fear of escalation has normally prohibited this option from being employed. While minimizing the risk of violating the principle of discrimination with tactical uses, there is still a question of proportionality with such a destructive weapon on even a military target.

A hypothesized use that may not violate the principles of discrimination or proportionality might be a space-based employment. As discussed by Michael O'Hanlon,

nuclear weapons could be an effective means of targeting satellites in space. A nuclear detonation on or near a satellite could destroy or degrade its performance, impacting the victim nation's communications as one example. I argue this action would not violate either the proportionality or discrimination principles as defined by *just war* theorists, and could be a morale use of a nuclear weapon in warfare.

The strength of a nuclear weapon is required for a sufficient explosion in space, as well as providing the particles necessary for destroying satellites in low-earth orbit, which may not violate the proportionality principle. There would be no direct human casualties from the kinetic explosion, with the effect of inconvenience to the technologically advanced victim but not death or destruction. On the other hand, the effects of the nuclear detonation on the Van Allen radiation belt may result in the indiscriminate destruction of more than the intended satellite. If the common understanding of the principles were to be adapted to reflect our technologically advanced society, the morality of this situation may change. Non-combatants would obviously be affected by loss of satellites with a disruption of way of life, even if not by loss of life itself. Personally, I choose not to place moral constraints on the inconvenience of losing satellites, but retain moral standards for living organisms.

Overall, any use of a nuclear weapon in warfare as it exists today seems highly improbable, to include a space-based use. In that example, a nation capable of performing an attack on a friendly satellite likely has a satellite as well, which could be targeted in retaliation. This leads to a deterrent effect between nuclear powers, which I argue has been the most useful aspect of nuclear weapons since 1949. As mentioned already, the morality of deterrence has been a highly debated over the years.

Weapons of mass destruction have been used in two ways; action in warfare (atomic bomb and chemicals) and to deter an opponent. Nuclear deterrence holds that an aggressor will not act if faced with the same retaliation. The plethora of material concerning deterrence is too vast to elaborate in detail here, but in summary the argument concerns the morality of threatening to do something that is considered morally abhorrent. The theorists' opinions on this topic vary, from the secular, realists, pacifists, and positions among others. The only part they agree on is how complex the subject is.

One paper published by the U.S. Bishops in 1983 posits that the primary moral duty is to prevent nuclear war from ever occurring and preserving values of justice, freedom and independence necessary for national integrity. While advocating the deterrent threat to attack military targets as acceptable, they acknowledge those targets are often interspersed with civilian population centers, and feel limited nuclear war is a fiction.³⁵ Thus, in their view discrimination and proportionality will ultimately be violated with nuclear war because escalation is inevitable. From the Vatican, Pope John Paul II judged nuclear deterrence as morally acceptable “as a step on the way toward progressive disarmament.”³⁶ Ultimately, as cited by Walzer, “the strategy works because it is easy,” and in his book *Forbidden Wars*, Caplow states, “No war has occurred so far between nuclear-armed states and none is likely to occur.” Nuclear deterrence has been proven effective by preventing nuclear conflicts for sixty-five years, and that is significant enough to override any concerns regarding the morality of making the threat.

To conclude, any use of a nuclear weapon is likely to violate the *jus in bello* principles of proportionality and discrimination. Excluding improbable scenarios of limited tactical employment that does not escalate the conflict, most uses of a nuclear weapon would be immoral. The proven value of nuclear weapons is deterrence, which is morally acceptable.

ATOMIC BOMBING OF JAPAN: JUST OR UNJUST DECISION?

Now that there is a basic understanding of *Just War Theory*, the principles will be applied to the only case where a nuclear weapon has been used to determine if this action was morally justified. Prior to debating the morality of any action, the situation must be evaluated based on conditions which exist at the time, which leads to the study of Hiroshima and Nagasaki. As stated by Orend, *jus ad bellum* sets the tone for all else that follows. In this case, the United States had justly entered World War II after the Japanese attack on Pearl Harbor, meeting the criteria of just cause and legitimate authority. Before the development of nuclear weapons, high civilian casualties had already occurred from aerial bombardment in both theaters during World War II; therefore, more than just casualty rates associated with the atomic bombs will be studied when considering the morality of using the weapon.³⁷

It is useful to have a basic understanding of the Japanese culture and way of war when analyzing the events leading to 6 August 1945. The Japanese had an attitude vastly different from westerners, deeply rooted in family, honor, tradition, and with a special regard for the Emperor. Twentieth-century Japanese men believed they were fighting in the traditions of their samurai ancestors, when in fact the teachings had been corrupted to extract maximum effort from the loyal soldiers.³⁸ Walker states, “The Pacific war was waged with a barbarism, savageness and race hatred that is unparalleled in history,” as evidenced from the Nanking massacre, treatment of POWs, the establishment of Japanese brothels known as Project Comfort, and even biological warfare against the Chinese.³⁹ In the samurai tradition, the idea of surrender was a great dishonor. Additionally, it was virtually unthinkable to surrender, especially to those considered racial inferiors.⁴⁰ It was this belief, as well as intense loyalty to the Emperor, which

led to the Japanese reluctance to surrender even after the Japanese Navy, had been virtually annihilated and hopes of victory were lost.

It was not until 1995 that declassified messages from the “MAGIC” Diplomatic Summary were released to the public, indicating intercepted conversations that Japan fully intended to continue the fight.⁴¹ While there is evidence of efforts by Minister of Foreign Affairs Togo to bring an end to the war through diplomatic efforts, the military leaders were still the dominant force in the group,⁴² and were actively pursuing Ketsu-Go Operation, the defensive plan to destroy the November 1945 American invasion force of Kyushu, Operation Downfall.⁴³ The MAGIC communications intercepted from the Japanese Imperial Army and Navy affirm they were prepared to battle against an allied invasion, hoping that American morale would break due to heavy losses.⁴⁴ The 2,400,000 civilian population in Kyushu was not to be evacuated, and were expected to stand and fight in some capacity.⁴⁵

The projected casualty estimates are often cited as justification for using the atomic bomb. Firebombing by the U.S. was already occurring in force, with over 100,000 deaths in Tokyo from February to August 1945.⁴⁶ Operation Downfall put U.S. casualty estimates from 60,000 to 370,000, in addition to even larger casualties expected from the Japanese military and civilians.⁴⁷ In addition to the millions of Japanese civilians encouraged to fight at Kyushu, MAGIC intercepts showed that by July 21, 455,000 defenders were in place with more on the way (already 105,000 more than Marshall’s earlier projections), including suicide submarines and two thousand of the dreaded kamikazes.⁴⁸ Numbers like these combined with the Japanese will to fight seemed to indicate that using the atomic bomb was potentially justified to end the war, ultimately resulting in less loss of life.

Four cities were initially selected as possible targets: Kyoto, Hiroshima, Yokohama and Kokura. Due to its cultural significance, Kyoto was removed from the list, with Hiroshima and Nagasaki being the final two targets, with a preference being locations which had not previously been heavily targeted.⁴⁹ Hiroshima was the Headquarters for Second Army, site of one of the largest military depots in Japan, and a shipping point for troops and supplies.⁵⁰ However, it should be noted that at the time of the attack most shipping activities had ceased. Nagasaki had a naval base and an industry complex, including shipyards and steel works, and had previously been subject to air attacks, although those did not occur until 1 August 1945.⁵¹ Both locations consisted of military targets and may have been bombed in future air attacks. Based on previous bombing targets, including those in Europe, and operating under the assumption this was a “total war”, these two locations emerge as legitimate targets, at least as compared to how the strategic bombing campaign had been conducted to that point.

The political and military situation between the U.S. and Soviet Union was also a factor for President Truman during the decision process. It was originally hoped that Soviet participation against Japan would help during a planned invasion by pinning the Japanese forces between the two powers. However, as relations between the Soviet Union and Western Allies grew tense in Europe, concern developed over Soviet expansion in the Pacific. In an effort to avoid Soviet entry into the conflict and the potential consequences for Asia, Truman felt the need to end the war quickly, which was a factor in considering a weapon as devastating as the atomic bomb.⁵² The Soviets did declare war on Japan 9 August, prompting the Japanese Supreme War Council to meet, which they did not do after the bombing of Hiroshima.⁵³ This action by the War Council lends credence to the theory that it was not the atomic bombing which caused the eventual surrender, but rather the Soviet threat.

Another political factor of significance was the U.S. term of unconditional surrender, which some believed resulted in the reluctance of Japan to capitulate. A factor of utmost significance to the Japanese was the Emperor and safeguarding the National Polity.⁵⁴ Some of Truman's advisors were in favor of modifying the unconditional surrender demand to induce a speedy Japanese surrender, but this was a decision not made in time for the Potsdam Conference, at which point the first atomic bomb had been successfully tested.⁵⁵ Upon receiving the Potsdam Proclamation, the Japanese policy makers did not reject it, but did not take immediate action, preferring instead to seek Moscow's mediation to discuss the terms. After the Soviets declared war against them, Japan still did not surrender immediately, preferring instead to fight for additional conditions to the Proclamation.⁵⁶

Critics of the bomb insist that Japan would have surrendered if the U.S. had not persisted they do so unconditionally.⁵⁷ As pointed out by Walzer, the Japanese had already lost the war, but were not ready to accept unconditional terms, and would have persisted in a last-ditch effort to repel any invasion force with huge loss of life.⁵⁸ The critics also say the bombings were fundamentally immoral and can be considered as war crimes or state terrorism, and more importantly, that it opened the door for not just the destruction of a city, but annihilation of the human race. From my research, it seems those critics who morally objected to the atomic bomb downplay the loss of life that would have occurred by the alternative, the American land invasion with the Japanese taking a last stand before eventual surrender. Although the indiscriminate loss of life resulting from the atomic bombs is a horrible tragedy, moral objections seem insignificant to the strategic situation, the extreme fanaticism of the opposing force to fight to the end.

Taking the *jus in bello* principles into consideration, the atomic bombings clearly violated the principles of discrimination and proportionality. Van Damme and Fotion apply the

conditions of the doctrine of double effect towards this scenario, and ultimately rule the atomic bombing did not meet the criteria because it was known the cities would be destroyed and other options were available to the United States.⁵⁹ Regarding supreme emergency, it was obvious Americans were not in that particular situation at any point during the war, so it seems justification cannot be found that way. The question is how the Chinese and Koreans would interpret their own situation? From their view, maybe they felt they were under a supreme emergency as they were being slaughtered, tortured, and enslaved by the Japanese who felt superior to all others. As an ally, the U.S. had just cause to support these people and their status of supreme emergency.

The bombings of Hiroshima and Nagasaki, while not the sole factor for surrender, forced the Japanese leaders to consider that massive destruction could occur without the planned land invasion they hoped would break American morale. In my opinion, it may be difficult to argue the morality of the atomic bombings based on *jus in bello*, but the situations in the Pacific at least make the bombings excusable. After months of study, I find I cannot be swayed from that opinion and will continue to stand by it.

The dropping of the atomic bombs has been a topic of controversy and discussion for decades, and will probably continue to be so for years to come. Overall, WWII is unrivaled in the numbers of civilians killed and the overall scale of mass destruction. It was not strategic bombing (to include the atomic bombing), but Nazi genocide, the German invasion of Russia, and the Japanese slaughter of rural Asians that exacted the heaviest price on human lives.⁶⁰ With the entry of the Soviets into the war, their movement into Manchuria, the planned Operation Downfall and counter Ketsu-Go Operation, and intercepted MAGIC and ULTRA messages showing a Japanese determination for one final fight, it seems that the decision to use a weapon

of mass destruction was excusable if not moral based on *just war* criteria. Considering all the lives that had already been lost with more casualties projected, the employment of even an indiscriminate weapon like the atomic bomb seems like a small price to pay to end the war.

CONCLUSION

In summary, *Just War Theory* provides a foundation with moral guidelines on the just causes for going to war, and just conduct while engaged in military operations. In his paper “A Moral Framework for War in the 21st Century,” Colonel Leaphart states that changes in the strategic environment require a new moral framework for examining modern war.⁶¹ He argues that since *Just War Theory* is based on a system of sovereign states, it may not be as applicable in the current era of rising non-state actors such as global terrorist organizations. In addition, he asserts that advancement of weapon systems such as WMD, and the potential for non-state actors to acquire them, may change the moral framework. I argue that even with the advent of modern weapon systems, the fundamentals of morality have remained the same, although I agree some changes may be required using the previously discussed morality of nuclear weapons in space as an example.

There are not many situations that exist today where a state can claim moral legitimacy in using weapons of mass destruction. Upon analyzing the events surrounding the atomic bombings in World War II, there were so many factors which led to the decision and provide a legitimate excuse for the decision made by President Truman. Despite this, it is still difficult to justify that decision on pure moral reasons. The nature of these weapons has effects that make it difficult to claim any moral grounds for employing them because they will violate the principles

of discrimination and proportionality. Up to now, no war has occurred between two nuclear-armed states, supported by the deterrent threat of retaliation. It will be interesting to see if this unwritten rule established by Caplow on nuclear states persist should North Korea and Iran become armed with nuclear weapons.

As mentioned, Colonel Leaphart believes a new moral framework is necessary for non-state actors such as terrorists. It is true these organizations may acquire these weapons and could employ them against military or civilian targets. However, because a terrorist organization is not a legitimate governing authority, from the onset they will be acting unjustly according to the *jus ad bellum* principles, and can claim no moral foundation. An issue in this situation is the deterrence which worked so well during the Cold War may be useless; there would not be an easy target upon which to retaliate. Even in the event a terrorist acquires and uses a nuclear weapon against American interests, the U.S. would be justified to respond to the aggression, although it is unlikely the U.S. would do so with nuclear weapons.

Although the strategic situation has changed dramatically since the days of the Cold War, nuclear weapons have not gone away and it is important to reiterate the moral discussions from time to time. In the past, these weapons were intended to be used against other states which were the basis for most moral arguments. However, new uses such as against satellites in space may be considered, so the moral implications of such actions will need to be evaluated. It must be understood that despite the desires of some nations for nuclear disarmament, nations who already possess them will not completely give them up, nor will issues of morality prohibit other nations from acquiring them. Weapons of mass destruction will continue to play a role in U.S. policy and our military officers will need to be familiar with the moral considerations of these forms of warfare.

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- ¹ U.S. Catholic Bishops, "The Just War and Non-Violence Positions," in *War, Morality, and the Military Profession*, ed. Malham M. Wakin, Westview Press Boulder and London, 244-245.
- ² Telford Taylor, "Just and Unjust Wars," in *War, Morality, and the Military Profession*, ed. Malham M. Wakin, Westview Press Boulder and London, 229.
- ³ Brian Orend, *The Morality of War*, Broadview Press, 105.
- ⁴ U.S. Catholic Bishops, 245.
- ⁵ *Ibid*, 247.
- ⁶ Nick Fotion, Bruno Coppieters, and Ruben Апресян, "Introduction," in *Moral Constraints on War*, ed. Fotion and Coppieters, Lexington Books, 11-13; Malham M. Wakin, "War, Morality, and the Military Profession," 220-221; and U.S. Catholic Bishops, 245-248.
- ⁷ U.S. Catholic Bishops, 248.
- ⁸ Brian Orend, 106-107.
- ⁹ Anthony Hartle, "Discrimination," in *Moral Constraints on War*, eds. Fotion and Coppieters, 171.
- ¹⁰ Insert Geneva Convention III criteria
- ¹¹ Nigel Biggar, "Christianity and WMD," in *Ethics and Weapons of Mass Destruction: Religious and Secular Perspectives*, eds. Sohail H. Hashmi and Steven P. Lee, Cambridge University Press, 174.
- ¹² Anthony Hartle, 178.
- ¹³ Brian Orend, 119.
- ¹⁴ Guy Van Damme and Nick Fotion, "Proportionality," in *Moral Constraints on War*, eds. Fotion and Coppieters, 160-161.
- ¹⁵ Michael Walzer, *Just and Unjust Wars*, 4th ed. Basic Books, 42.
- ¹⁶ *Ibid*, 280.
- ¹⁷ Brian Orend, 122.
- ¹⁸ Ernest Ruede, *The Morality of War: The Just War Theory and the Problem of Nuclear Deterrence in R. Paul Ramsey*, Moderante R. P. J. O'Riordan, CSS.R., Romae, 76.
- ¹⁹ U.S. Catholic Bishops, 251.
- ²⁰ Michael Walzer, 153.
- ²¹ Brian Orend, 140; Michael Walzer, 151-158; and Henry Shue, "Liberalism: The Impossibility of Justifying WMD," in *Ethics and Weapons of Mass Destruction: Religious and Secular Perspectives*, eds. Sohail H. Hashmi and Steven P. Lee, Cambridge University Press, 150.
- ²² Brian Orend, 142.
- ²³ Michael Walzer, 261.
- ²⁴ DTRA-AR-40H Weapons of Mass Destruction Terms Reference Handbook, 1 Sep 01, 45.
- ²⁵ Susan B. Martin, "WMD: A Brief Overview," in *Ethics and Weapons of Mass Destruction: Religious and Secular Perspectives*, eds. Sohail H. Hashmi and Steven P. Lee, Cambridge University Press, 25.
- ²⁶ DTRA-AR-40H, 5.
- ²⁷ Susan B. Martin, 29.
- ²⁸ DTRA-AR-40H, 117.
- ²⁹ Sohail H. Hashmi and Steven P. Lee, eds. *Ethics and Weapons of Mass Destruction: Religious and Secular Perspectives*, Cambridge University Press, 8.
- ³⁰ Hashmi and Lee, 8.
- ³¹ Sohail H. Hashmi, "Islamic Ethics and Weapons of Mass Destruction: An Argument for Nonproliferation," in *Ethics and Weapons of Mass Destruction: Religious and Secular Perspectives*, eds. Sohail H. Hashmi and Steven P. Lee, Cambridge University Press, 332.
- ³² Frances V. Harbour, "Living with Chemical and Biological Weapons" in *Ethics and the Future of Conflict*, eds. Anthony F. Lang Jr., Albert C. Pierce, Joel H. Rosenthan, Pearson Prentice Hall, 110.
- ³³ *Ibid*, 111-114.

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- ³⁴ Paul C. Szasz, "The International Law Concerning Weapons of Mass Destruction," in *Ethics and Weapons of Mass Destruction: Religious and Secular Perspectives*, eds. Sohail H. Hashmi and Steven P. Lee, Cambridge University Press, 53-55.
- ³⁵ Charles Krauthammer, "On Nuclear Morality," in *War, Morality, and the Military Profession*, ed. Malham M. Wakin, Westview Press Boulder and London, 501; and Joseph S. Nye Jr., *Nuclear Ethics*, The Free Press, 56. Nye states the American Catholic bishop support targeting of military locations under the doctrine of double effect as a means to support deterrence as long as civilians are not deliberately targeted.
- ³⁶ U.S. Catholic Bishops, "On Nuclear War and Nuclear Deterrence," in *War, Morality, and the Military Profession*, ed. Malham M. Wakin, Westview Press Boulder and London, 477.
- ³⁷ This is in reference to the allied combined bomber offensive in Europe and the firebombing in Japan. The Strategic Bombing Survey concluded that a March 1945 firebombing raid over Tokyo resulted in 87,793 dead, 40,918 injured and 1,008,005 homes destroyed; more casualties than what resulted from the atomic bomb (Tanaka and Young, 2009, pages 84-85).
- ³⁸ Paul D. Walker, *Truman's Dilemma: Invasion or the Bomb*, Pelican Publishing Company, 16-17.
- ³⁹ Ibid, 15, 38-43. The history of atrocities committed by the Japanese are too numerous to expand upon in this paper, but rival those which were committed by Hitler's Nazis. In an effort to eliminate the routine rape of Chinese women, an underground system of brothels consisting of 120,000 to 200,000 women from Korea, China, Taiwan, and the Philippines was established; this was referred to as Project Comfort. Walker cites numbers of 140,000 Allied military prisoners who died in captivity at 35%, compared to the 93,653 U.S. Army personnel held in Nazi Germany with a death rate of .09%. The specific death rates for those from the region (Chinese, Korean, etc) are not known, but they suffered extensively from the brutality of the Japanese military. The estimates range from 10 – 30 million (Mark Seldon, "A Forgotten Holocaust: U.S. Bombing Strategy, the Destruction of Japanese Cities, and the American Way of War from the Pacific War to Iraq," in *Bombing Civilians: A Twentieth-Century History*, edited by Yuki Tanaka and Marilyn B. Young, The New Press, NY and London, 89).
- ⁴⁰ Robert James Maddox, *Weapons for Victory: The Hiroshima Decision Fifty Years Later*, Columbia: University of Missouri Press, 146.
- ⁴¹ Richard B. Frank, *Why Truman Dropped the Bomb*, The Weekly Standard, Vol 010, Issue 44, 8 Aug 2005, <http://www.weeklystandard.com/Content/Public/Articles/000/000/005/894mnyyl.asp>, downloaded 18 October 2009 and Paul D. Walker, 205.
- ⁴² Paul D. Walker, 222.
- ⁴³ Tim Maga, *American Attacks Japan: The Invasion That Never Was*, The University Press of Kentucky, 110-112.
- ⁴⁴ Richard B. Frank, *Why Truman Dropped the Bomb*, The Weekly Standard, Vol 010, Issue 44, 8 Aug 2005.
- ⁴⁵ Tim Maga, 116.
- ⁴⁶ http://en.wikipedia.org/wiki/Debate_over_the_atomic_bombings_of_Hiroshima_and_Nagasaki, downloaded 18 October 2009.
- ⁴⁷ Multiple sources used for these estimates. <http://www.mtholyoke.edu/acad/intrel/giangrec.htm>, downloaded 19 October 2009 and Shalom, Stephen R., *The Obliteration of Hiroshima*, <http://www.wpunj.edu/newpol/issue21/shalom21.htm>, downloaded 18 October 2009.
- ⁴⁸ Robert James Maddox, 118. *The author uses ULTRA to refer to intercepted Japanese military communications and MAGIC to refer to intercepted Japanese diplomatic communications. MAGIC is the more common term for all Japanese code breaking as referenced by other authors, so is being used in this paper for consistency with other sources.
- ⁴⁹ Paul D. Walker, 223.
- ⁵⁰ *United States Strategic Bombing Survey: The Effects of the Atomic Bombings on Hiroshima and Nagasaki*, Chairman's Office, June 1946, 11.
- ⁵¹ Ibid, 15.
- ⁵² Hasegawa, Tsuyoshi, *Were the Atomic Bombings of Hiroshima and Nagasaki Justified*, 100-102.
- ⁵³ Ibid, 111.

⁵⁴ Ibid, 105.

⁵⁵ Ibid, 102.

⁵⁶ Ibid, 111.

⁵⁷ Stephen R. Shalom, *The Obliteration of Hiroshima*, <http://www.wpunj.edu/newpol/issue21/shalom21.htm>, downloaded 18 October 2009.

⁵⁸ Michael Walzer, 266.

⁵⁹ Guy Van Damme, 167-168.

⁶⁰ Mark Seldon, 89.

⁶¹ Colonel John R. Leaphart, (USA), *A Moral Framework for War in the 21st Century*, US Army War College, Strategy Research Project, 2009, 3.

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