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NUCLEAR PERPLEXITY

Mark Field*

On Monday, July 16, 1945, the first atomic bomb was detonated at the Trinity test site near Alamogordo, New Mexico. Since that time, mankind has lived under the dark cloud of nuclear weaponry. Each year, the quantity of weapons has multiplied until now there are more than fifty thousand warheads jointly possessed by nations of the earth. Although these bombs were built as weapons for war, their significance extends beyond war and all its various causes and outcomes. If nuclear weapons are ever used, even on a moderate scale, the extent of destruction would be so far-reaching, and its effects on the earth's ecosystem so severe, that the extinction of mankind would be imminent. In the words of Jonathan Schell, these weapons "grew out of history, yet they threaten to end history. They were made by men, yet they threaten to annihilate man. They are a pit into which the whole world can fall--a nemesis of all human intentions, actions, and hopes." It is the risk of complete annihilation, which has arisen from man's ability to avail himself of nature's ultimate destructive forces, that causes us to suspend our judgment concerning the possibility of a victor in a nuclear war. Nevertheless, although it is certainly the case that the actual use of nuclear weapons could never be (morally) condoned, there are many who claim that the very

*Mark is a graduate student in Political Science. His area of emphasis is political philosophy. After graduating with his M.A. in December 1985, he plans to obtain a Ph.D. in Philosophy.
existence of these weapons significantly reduces the probability that a conflict could arise of sufficient magnitude that it would ultimately lead to nuclear war. It is their conclusion that the mutual capabilities of both sides to completely destroy each other not only serve to limit encroachment and the advancement of counter-ideologies, they also serve to deter the use of nuclear weapons. Indeed, since the threat to use such weapons does not require their use and since these threats may prevent great evils, deterrence of unacceptable behavior on the part of foreign powers via the threat of nuclear destruction may be morally permissible. In discussing nuclear deterrence and some of its moral implications, the aim of this paper will be to (a) make an inquiry into the moral permissibility or impermissibility of nuclear deterrence as a means of national defense; (b) describe a (hypothetical) situation which represents (at least prima facie) a perplexing moral state of affairs involving the conclusions arrived at from the above discussion of nuclear deterrence; and (c) attempt to provide an explanation that will free us from this perplexity. To this end, we must begin by establishing an acceptable fundamental moral value which will be able to adequately guide us through the first part of the argument.

There are, of course, a variety of moral values that people recognize as being fundamental in their lives. Among these may be freedom, love, justice, etc. However, there must be a fundamental value which can serve as the ontological basis for all moral values. Life is that fundamental value. Without life (i.e., without the phenomenon of growth aimed at a possibly successful end), the fact that something is good or bad does not seem to make sense. It could not be good for or bad for anything. Values such as freedom and justice apply to human life
both individually and collectively; and without life, what meaning could these values have? Thus, human life should be regarded as the primary fundamental moral value. The primacy of this value allows us to attach to it supreme moral worth. Our first proposition, then, will be as follows:

(1) Human life is of supreme moral worth (i.e., each instance of human life has exactly the same value as every other instance of human life).

If human life has supreme moral worth, then it follows that it is (a) morally impermissible to take the lives of others and (b) morally permissible to protect one's own life. However, it is certainly conceivable that the protection of one's own life may require that that person take the life of another. Thus, if a person is seeking to protect his own life, then it seems to be morally permissible to take the life of another person. But (a) has already told us that it is morally impermissible to do this. We find, therefore, that our fundamental value tells us that it both is and is not morally permissible to take the lives of others. This conclusion, however, is a contradiction; and it compels us to either reject (1) or find a solution. Given the intuitive correctness of this proposition, we should attempt to formulate a solution. Such a solution will involve two parts. First, any situation in which a person's life is at stake is a situation involving aggression and defense. In any such situation, human life may be either (a) innocent, i.e., not responsible for aggressive or threatening behavior or (b) accountable (not-innocent), i.e., responsible for aggressive or threatening behavior. This means that a person seeking to protect his own life may be in a position to either take the life of an innocent person or a non-innocent person or both. Second, it does
not seem just that a person may take the life of an individual who is not responsible for aggression in order to protect himself. To arrive at this conclusion, however, we must assume the logical priority of the moral impermissibility of taking human life over the moral permissibility of protecting one's own life. Thus, whereas killing innocent human life is absolutely morally prohibited, protecting one's own life is contingently morally admissible (i.e., contingent upon the fact that if he must take the life of a person to protect his own, that person must be accountable or not innocent). We may now continue with our argument and in view of the foregoing discussion, add the following proposition:

(2) If human life is of supreme worth, then it is both (a) absolutely morally impermissible to take the lives of innocent human beings, and (b) contingently morally permissible to protect one's own life.

Human life, however, is more than simply biological. There are secondary values which a person esteems that define him as a human being (i.e., these values define a person's humanity). To deprive an individual of these secondary values is to negate that individual's essential humanity. Therefore, if human life has supreme worth and if a person's humanity is defined in terms of his secondary values, then we may proceed with our argument as follows:

(3) If it is contingently morally permissible to protect one's own (biological) life, then it is also contingently morally permissible to protect those secondary fundamental values which define one's humanity.

(4) If human life has supreme worth, then it is absolutely morally impermissible to
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take the life of an innocent person in order to protect one's own life (either his biological life or the fundamental values of his life).

This conclusion seems acceptable enough, but what about threatening to kill innocent people as a means of protecting one's own life? There appears to be a substantial difference between actually killing an innocent person and merely threatening to do so. However, suppose, for example, that A and B are adversaries and that B is intent on killing A. In this situation, A will seek to protect his own life (which we know, by proposition (2), to be morally permissible). But suppose that A can only protect himself if he threatens to kill B's sister, S, who is innocent of the entire affair. This threat will undoubtedly involve the intention to kill S (for if A does not have this intention, i.e., if he is bluffing, and B finds this out, then the threat will be ineffective and A's life will remain in danger). Is this intended threat morally permissible? It appears as though such a threat is not morally permissible; and this stance is justified by the application of the Wrongful Intentions Principle which states that to intend to do what one knows to be wrong is itself wrong. There are three reasons which give this principle plausibility: (1) normally, we regard a person who fully intends to perform a wrongful act and is prevented from doing so merely by external circumstances (e.g., a person whose plan to murder is interrupted by the victim's fatal heart attack) as being just as bad as the person who fulfills a similar wrongful act; (b) we view a person who intends to do what is wrong, but then changes his mind, as having set right a moral failing or error; (c) it is convenient, for a variety of purposes, to treat a prior intention to perform a particular act as the origination of the act itself. Therefore, we are inclined to view
intentions as components of actions and to ascribe to each intention the moral status ascribed to the act "containing it." Accordingly, we can add the following two propositions:

(5) The Wrongful Intentions Principle states that if it is wrong to take the life of an innocent person, then it is wrong to intend to take the life of an innocent person.

(6) It is wrong to intend to (i.e., threaten with the intention to) take the lives of innocent people as a means of protecting one's own life.

To this point we have only been addressing the protection of human life on an individual level. However, the notion of protecting one's own life (commonly called "self-defense") resembles situations on a more encompassing level. For example, there are at least two ways in which the permissibility of a nation to defend itself can be derived from individual self-protection. The first is by means of composition: the permissibility of national defense is composed of an authorized government's exercising, in an organized manner, the combined permissibility of the self-defense of its individual citizens. The second is by way of analogy with the reason being that a nation is similar to a person in morally relevant respects. It is, therefore permissible for a nation to exercise self-protection like that of a person. The significant implication is that just as the permissibility of individual self-defense applies to the preservation of one's biological life and the fundamental values of that life, so also the permissibility of national self-defense applies to its central values (including its morality, independence, sovereignty, and the structure of its basic institutions) as well as the biological survival of its members, especially if it is the
case, as it seems to be, that the fundamental values of those members are inextricably connected with the continuance of the nation and its central values. We shall conclude, therefore, that:

(7) National defense is similar to protecting one's own individual life (i.e., self-defense).

. . . (8) If it is morally impermissible to intend to take the lives of innocent people as a means of self-defense, then it is morally impermissible to intend to take the lives of innocent people as a means of national defense.

(9) Nuclear deterrence is a means of national defense.

(10) However, if nuclear deterrence involves a threat with the intention to take the lives of innocent people, then it is morally impermissible to use nuclear deterrence as a means of national defense.

Proposition (10), though, is not as strong as it might be. That is, it also seems to be the case that if it is morally impermissible to use nuclear deterrence as a means of national defense, then nuclear deterrence must involve a threat with the intention to take the lives of innocent people. This would mean that the intention to kill innocent people is both a necessary and a sufficient condition for the moral impermissibility of nuclear deterrence. In spite of this, nuclear deterrence may be wrong (if it is, in fact, wrong) for reasons other than the intention to kill innocent people. I am not sure what these other reasons might be if, in fact, there are alternative reasons. Nevertheless, we shall re-state proposition 10 as follows:
(10') However, nuclear deterrence is morally impermissible as a means of national defense if, and only if, it involves a threat with the intention to take the lives of innocent people.  

Proposition (10') will now allow us to elicit the following two-part conclusion:

· .(11) On the one hand it is (a) morally impermissible to use nuclear deterrence as a means of national defense when it involves a threat with the intention to take the lives of innocent people, while on the other hand it is (b) morally permissible to use nuclear deterrence when no such intentional threat is involved.

This concludes the first part of the essay concerning the moral acceptability of nuclear deterrence as a form of national defense. In the second part of this essay, I would like to build upon this conclusion and attempt to describe a hypothetical situation which represents (at least prima facie) a morally perplexing state of affairs.

To begin, I would like to refer back to proposition (3) which states, in part, that it is contingently morally permissible to protect those secondary fundamental values which define a person's humanity. Among these secondary fundamental values we should certainly find autonomy, i.e., the freedom to choose the end in life that one desires to pursue without the fear that those ends might be frustrated by the arbitrary will of others or coercion by the state. 15 Thus, autonomy is a kind of freedom; and there is at least a presumption in favor of freedom. This presumption rests on the essential role of freedom concerning the development of individual traits of intellect and character which
constitute the good of persons, as well as its central importance as a means to the progress of society. The supreme worth of human life implies that each human life should realize its fullness. But in order for an individual to realize a fullness of life, it is necessary that certain uniquely human powers, abilities, and potentialities be brought to a full development. This development, however, requires regular and continual practice at making difficult choices among alternative hypotheses, policies, and actions. The justification for this was expressed by John Stuart Mill in his treatise On Liberty:

The human faculties of perception, judgement, discriminative feeling, mental activity, and even moral preference are exercised only in making a choice. He who does anything because it is the custom makes no choice. He gains no practice either in discerning or in desiring what is best. The mental and moral, like the muscular, powers are improved only by being used.

Thus, if a person conforms to custom merely out of social pressure and not from deliberative choice, then he will be led mindlessly along by the crowd and can have no hope of realizing what is best in him. Without autonomy, the realization of human fulfillment does not seem possible. These are the grounds, then, for espousing a presumption in favor of freedom. We can now continue our argument:

(12) The supreme worth of human life implies that each human life should realize its fullness.

(13) The realization of the fullness of human life implies the existence of autonomy.

(14) The supreme worth of human life implies the existence of autonomy.
(15) Principles implied by the supreme worth of human life have fundamental value.

(16) Individual autonomy must have fundamental value.

(17) Fundamental values should be (contingently) protected and promoted (from proposition (3)).

(18) It is contingently morally permissible to protect and promote individual autonomy.

Suppose, however, that it is contingently morally permissible to protect and promote a particular fundamental value, V, but that the only meaningful way to do this is through a particular institution I. If V should be protected and promoted and I protects and promotes V, then I should be promoted. On the other hand, if I subverts V, then I should not be promoted. This will allow us to expand upon proposition (18):

(19) Institution I should be promoted if and only if value V should be protected and promoted and if it is the case that I protects and promotes V.

(20) Institutions which protect and promote individual autonomy should themselves be promoted whereas institutions which violate individual autonomy should not be promoted.

Imagine, now, that the following state of affairs applies: There is a world (similar to our own) that is composed of two and only two polities (nation A and nation B) whose powers (politically, economically, and militarily) are, for the most part, equal. Suppose, also, that the people of nation A recognize the fundamental value of individual autonomy and its importance in achieving a fullness of life. As a result, the primary goal of nation A is the protection and
promotion of autonomy. The means by which this goal is accomplished will entail the establishment of specific legal rules. These laws will prevent the subversion of autonomy. However, the establishment and enforcement of law demands the existence of a political institution which can exercise the requisite political power. Thus, the protection and promotion of autonomy requires the existence of a political institution (e.g., a government). There are any number of governmental institutions that could exercise the appropriate political power. However, we shall suppose that nation A creates a political institution such that the people will be able to collectively ensure this fundamental value; they will be able to collectively regulate the decisions and policies of their authorized leaders to the end that individual autonomy might be protected. This collective control of government is achieved by the establishment of the following three legal rights: (a) the right of the people (collectively) to determine who will and will not occupy positions of leadership within government; (b) the right of each person to be informed concerning the opinions, decisions, and policies of their leaders; and (c) the right of the people (collectively) to influence the opinions, decisions, and policies of their leaders. The people of nation A will be able to collectively manage their government, and thereby ensure their autonomy, if and only if these rights are held inviolate. Thus, we may add the following two propositions:

(21) The government of nation A is an institution which protects and promotes the fundamental value of individual autonomy.

(22) The government of nation A should itself be promoted.

We must now turn to a characterization of nation B.
We shall suppose that nation B is a military polity with a hierarchical military institution serving as the central government. The primary goal of the leaders in government is the total domination of the world. As a means to this end, the leaders realize that they must possess military power that is superior to the opposition. In order to secure this military superiority, a central economic plan is formulated that will direct the natural resources and the efforts of the people towards this goal. However, implicit to the success of this plan is the imperative that each individual citizen conform to its various requirements. If the central strategy is not followed, then it will fail, and if it fails, then military superiority will not be attained. As a means, therefore, of ensuring the success of the plan, the military government intervenes and enforces the conformance of each individual. But if the government enforces obedience to the central plan, then it necessarily precludes the private plans of its citizens. This means that if the ends that a person chooses to pursue do not accord with the established program, then the government intervenes and requires that the private plan be modified so that it will agree with the central strategy. However, we mentioned earlier that individual autonomy is the freedom to choose the ends in life that one desires to pursue without the fear that those ends might be frustrated by the arbitrary will of others or coercion by the state. Thus, the government of nation B advances military superiority at the expense of the individual autonomy. We may now conclude the following:

(23) The government of nation B is an institution which neither protects nor promotes the fundamental value of individual autonomy.

...(24) The government of nation B should not be promoted.
To continue our description, since neither A nor B are significantly subordinate to each other in any relevant way, we will assume that each is an independent and autonomous political society (although it may be the case that they must sometimes rely on each other for their own well-being and continued existence). As such, both may be regarded as sovereign nations with the right to defend themselves and their interests. We argued, in fact, for this very conclusion prior to our statement of proposition (7). At that point we stated that the right to national defense is derived from principles of individual self-defense. Since an individual has the right (at least contingently) to protect his own biological life as well as the fundamental values which define his humanity (from proposition (3)), and since a sovereign nation also has central aims, goals and values that are essential to its existence as well as the biological lives of its citizens, by analogy we concluded that a nation has the right to protect itself. This conclusion, however, seems to be at odds with the conclusion arrived at in proposition (24). Nevertheless, it certainly seems to be the case that the government of a nation is essential to the realization of that nation's central aims, goals, and values; and if this is the case, since these central values may be protected, then certainly the government would also be subject to protection. There is no contradiction, however, between the nation's not promoting a particular government and a (sovereign) nation's right to protect its own government. For example, consider the following analogy: As we have already stated, a government is essential to the existence of a sovereign nation and the preservation of its citizens' way of life. Similarly, the mind of an individual is essential to his existence and the preservation of his way of life. Now it may be the case that this individual acts in ways that we feel are morally
contemptible. Nevertheless, although we may be justified in not promoting his particular psychological mind-set, we normally do not deny that he has a right to protect his mind from destruction. Analogously, a particular government may engage in actions which we feel are morally impermissible; but even though we are justified in not advancing this government, we do not deny that a nation has the right to protect what is essential to its existence - even an iniquitous government. Therefore we can proceed as follows:

(25) However, all sovereign nations have a right to self-protection (i.e., national defense).

(26) Both nation A and nation B are sovereign nations.

(27) Both nation A and nation B have the right to self-protection (i.e., national defense).

Nevertheless, just as there are moral limitations on what an individual can do as a means of self-protection (see proposition (2)), so also there are limitations on strategies for national defense which define the parameters outside of which a particular strategy is considered to be illegitimate or morally unacceptable. Given a world, as we have imagined it, in which two nations exist with widely divergent ideologies and points of view concerning the ends and means of social, political, economic, and military conduct, conflicts will inevitably arise. As in our own world, minor problems and hostilities will be resolved diplomatically. However, when major altercations arise that surpass diplomatic resolution, assuming only the existence of conventional weapons, ultimate reconciliation will be obtained via the use of military arms. This decision by arms will occur when the strength of one side or the other is exhausted. Normally,
the nation with the greater strength will have the better chance of being victorious. However, let us suppose at this point that the world we have imagined is a nuclear world and that since neither nation has a military capacity which is subordinate to the other, their nuclear arsenals are relatively equal both quantitatively and qualitatively. In a world in which nuclear weapons exist, if both diplomatic and conventional means fail to make reconciliation or deter aggression, then the final means of national defense (i.e., the defense of last resort) will involve the threat to use nuclear weapons. Since proposition (27) claims that both nation A and nation B have a right to national defense, we will assume that as a primary means of protection, each nation threatens the other with nuclear destruction. As we discussed earlier, in order for a threat to be credible, it must involve the intention to actually carry out nuclear destruction (for if one of the nations does not have this intention, i.e., if that nation is bluffing, and the opposition discovers this, then the threat will be ineffective). Obviously, however, if such an intentional threat is made actual, it will unavoidably cause the deaths of a very large number of people. We can continue our argument by restating some of what has just been expressed:

(28) As a primary means of national defense, both nation A and nation B threaten each other with nuclear destruction.

(29) In order for a threat to be credible as a means of protection, it must be accompanied by the intention to carry out the threat.

(30) The threats of nuclear destruction by nations A and B against each other will be accompanied by the intention to carry out nuclear destruction.
(31) But nuclear destruction unavoidably causes the deaths of a very large number of people.

(32) The mutual threats of nations A and B will be accompanied by an intention to take the lives of a very large number of people.

(33) However, a means of national defense is legitimate only if it falls within the parameters set by morality (i.e., only if it is morally permissible).

It is somewhat unclear whether or not a threat with the intention to cause the deaths of a large number of people is morally impermissible. It certainly seems to be. However, there may be circumstances in which an argument could be given in favor of its moral permissibility. For example, suppose a large group of people sought to deprive another group of people of their lives and/or fundamental values. It appears as though a threat with the intention to kill the aggressors might be morally permitted. Nevertheless, even though the permissibility in this case is unclear, it is certainly the case, as proposition (4) has already demonstrated, that

(34) It is morally impermissible to take the innocent life of another in order to protect one's own life.

This, of course, refers to self-defense. However, we also argued that national defense is derived from principles of self-defense. Hence, we concluded in proposition (7) that

(35) National defense is similar to protecting one's own individual life.

(36) It is morally impermissible to take the innocent lives of others as a means of national defense.
In addition, we also concluded, from the Wrongful Intentions Principle, that not only is it morally impermissible to take the lives of innocent people as a means of national defense,

(37) It is morally impermissible to intend (by way of a threat) to take the lives of innocent people as a means of national defense (partial reiteration from proposition (8)).

(38) On the one hand it is (a) morally permissible to use nuclear deterrence as a means of national defense when it involves a threat with the intention to kill innocent people, while on the other hand it is (b) morally permissible when such an intentional threat is not involved (reiteration of proposition (11)).

In order to discover whether or not the mutual threats of nations A and B to use nuclear weapons are legitimate as a means of national defense, we must determine whether or not these threats are morally permissible; and we can determine this in two ways: (a) if there is no intention (to use nuclear weapons) connected with the threat, then that threat will be permissible, or (b) if there is an intention to use nuclear weapons, but there are no innocent people who will be affected, then that threat is permissible. We have already argued and concluded that the mutual threats of A and B involve the intention to use nuclear weapons. Thus, we must pursue alternative (b) and try to determine whether the people of either nation can be considered innocent or not-innocent (i.e., accountable).

Prior to our introducing proposition (21) into the argument, we stated that the people of a community are able to collectively control their government if and only if three specific legal rights are held inviolate. From this statement we
can construct an argument that will help us determine innocence and accountability:

(39) If and only if the following three rights obtain can it then be said that the people of a nation are in collective control of their government:
(a) the right of the people, collectively, to determine who will and will not occupy positions of leadership within the government;
(b) the right of the people, individually, to be informed concerning the opinions, decisions, and policies of their leaders;
(c) the right of the people, collectively, to influence the opinions, decisions, and policies of their leaders.

(40) If X controls Y, then it is within the power of X to guide and direct Y.

(41) If it is within the power of X to guide and direct Y, then it is within the power of X to determine Y.

(42) If it is within the power of X to determine Y, then X can be held responsible for Y.

(43) If X controls Y, then X can be held responsible for Y.

(44) If it is within the collective power of the people (X) to control the decisions and policies of their leaders (Y), then the people can be held responsible (i.e., accountable) for those decisions and policies.

(45) The people of a nation can be held collectively accountable for the decisions and policies of their leaders if and only if these three rights are held inviolate.

If a community of people can be held collectively accountable for a particular action, then each and
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every member of that community can be held individually responsible for that action. This is true even if it is the case that certain members had nothing at all to do with the bringing about of the action. To see why this is the case, consider the following argument:

(46) X is subject to punishment if and only if X is accountable.

(47) If a group of people are collectively accountable for a particular action, then the group is subject to punishment.

(48) The only means by which a group may be punished is to punish its members.

(49) If a group of people are subject to punishment, then the individual members of that group are subject to punishment.

(50) But we only punish people who can be held accountable (from proposition (46)).

(51) If a group of people are collectively accountable for a particular action, then the members of the group can be held individually accountable.

However, since the members of the group are not necessarily directly accountable for the action, we say that they are vicariously accountable; that is, the contributory fault is assigned to the person(s) who perform(s) (or directly causes) the act whereas the liability is ascribed to the group as a whole (i.e., collectively). As a result, proposition (51) should read as follows:

(51') If a group of people are collectively accountable for a particular action, then the members of the group can be held individually vicariously accountable; otherwise, there is no vicarious accountability.
From this proposition we may conclude that:

\[ \text{If the people of a nation can be held collectively accountable for the decisions and policies of their leaders, then each individual member can be held vicariously accountable for those decisions and policies; otherwise, they are not held vicariously accountable.} \]

What proposition (52) seems to tell us is that if there is a community of people that can be considered as a collective whole and if this group holds these rights inviolate, then this community will have collective control over its leaders and the policies they make. Thus, collective accountability assumes (a) that there is community that can be considered as a collective whole and (b) that this community holds these rights inviolate for its members. In order, however, for a group to be considered as a collective whole, three criteria must be satisfied: (a₁) there is a recognition among community members of basic, common values; (a₂) there is a common sentiment (i.e., emotional significance) towards these basic values; and (a₃) the members of the group share a common lot (i.e., the extent to which their goods and harms are necessarily collective and indivisible) with respect to these basic values. In the absence of either (a) or (b), therefore, there can be no collective accountability. Thus, as we attempt to determine whether or not the people of either nation are innocent or not-innocent (i.e., accountable), we must decide whether or not these rights are held inviolate; and, if they are held inviolate, whether or not they are held inviolate for a community of people that can be considered as a collective whole.

Concerning nation B, we said that its military aims are accomplished via the institution of a central economic plan that would direct the efforts of the people toward military superiority.
We also noted, however, that the success of this plan required the government to intervene in the lives of its citizens in order to enforce conformance. Insofar as the state forces an individual to comply with the central plan, it gains control over the life of that individual. If this is generalized to include all people under the government's jurisdiction, then the state gains control over all of its citizens. But if the government controls the lives of the people, then it cannot be said that the people control the government. However, as proposition (39) has already indicated, if the people do not control the government, then the specific rights are not held inviolate. Thus,

(53) The government of nation B does not hold these rights inviolate for its citizens.

(54) The people of nation B cannot be held collectively accountable for the decisions and policies of their leaders.

(55) The people of nation B cannot be held individually vicariously accountable for (i.e., they are innocent of) the decisions and policies of their leaders.

On the other hand, nation A, whose aim it is to protect individual autonomy, does secure these rights for its citizens. What we must determine now is whether or not the people of nation A satisfy the criteria for being considered a collective whole. We will, at this point, assume that the criteria are fulfilled, but for obvious reasons. Since the members of nation A are bound within a society which acknowledges human life to be of supreme worth, there will undoubtedly be a recognition of some common, basic values. This is reinforced by the fact that they seek to protect one of these values (autonomy), which in turn alludes to the notion of a common sentiment. Finally, they all share in
the same lot, for inasmuch as autonomy is subverted, the ends in life that they desire may be overturned. Thus, we shall assume that the people of nation A constitute a collective whole. Therefore,

(56) The government of nation A does hold these rights inviolate for its citizens (which may be perceived as a collective body).

(57) The people of nation A can be held collectively accountable for the decisions and policies of their leaders.

(58) The people of nation A can be held individually vicariously accountable (i.e., not-innocent of) the decisions and policies of their leaders.

In accordance with our conclusions in propositions (11) and (38), we can state that

(59) The intended nuclear threat of nation A against nation B is morally impermissible whereas the intended nuclear threat of nation B against nation A is morally permissible.

If we add to proposition (59) the information arrived at in proposition (22), (24), and (33), then we can state our final conclusion as follows:

(60) Nation A, whose government should be promoted, cannot legitimately protect itself by way of a threat with the intention to use nuclear weapons against nation B, whereas nation B, whose government should not be promoted, can legitimately protect itself against nation A by way of a threat with the intention to use nuclear weapons.
What we have demonstrated to this point is that it is possible for instances to arise in which nuclear deterrence is morally permissible and that we can conceive of a situation which appears to be a morally peculiar state of affairs involving nuclear deterrence and national defense. To conclude this essay, it will be instructive to attempt to find a solution to this perplexing state of affairs. I would like to present three possible solutions. The first two deal with the absolute nature of some critical propositions in the argument whereas the final solution challenges the application of the Wrongful Intentions Principle in the case of deterrent intentions.

We asserted, at the beginning of this essay, that human life has supreme worth. However, we immediately saw that this statement was in need of conceptual qualification, for in circumstances involving aggression and defense, we felt that innocent human life (i.e., life not responsible for aggressive or threatening behavior) was more precious than accountable human life (i.e., life that is responsible for aggressive or threatening behavior). We concluded that even though human life is of supreme worth, there is a logical priority of innocent life over accountable life. Thus, all things considered, it is innocent human life that is of supreme worth. This, perhaps, is the most important statement in this entire essay for it tells us that, vis-a-vis all other objects to which moral value may be imputed, the highest degree of value is bestowed upon innocent human life. There is no other object such that, when juxtaposed to innocent human life, it may take moral precedence. What this means is that, within the context of all other moral objects, innocent human life has absolute worth and as such, cannot be violated. The critical conclusion that we derived from this statement (in combination with the Wrongful Intentions Principle and proposition (7)) was that it is morally
impermissible to intend to take the lives of innocent human beings as a means of national defense (proposition (8)). This, too, is an absolute proposition. We arrive now at a crossroads in which we must either affirm the absolute nature of this proposition or deny it. In either case, there is the possibility of a solution.

First, let us assume (as the argument does) that this proposition is absolute. With this assumption, there are two different ways by which a solution can be approached. We can either demonstrate that nation A can legitimately protect itself (via nuclear deterrence) against nation B or we can demonstrate that nation B cannot legitimately protect itself (via nuclear deterrence) against nation A. Proposition (45) tells us that the people of a nation are collectively accountable if and only if rights (a) through (c) are held inviolate; and proposition (52) tells us that if collective accountability obtains, then the individuals within the collective group are vicariously accountable. We will have a solution, therefore, regardless of the approach we choose, if we can show either that the people of nation A cannot be held individually vicariously accountable or that the people of nation B can be held accountable in this way. The reader will note, however, that we have already established the opposite of what we need to demonstrate in order to arrive at a solution. Nevertheless, there may be a loophole. The people of nation A were seen to be individually vicariously accountable not only because the three rights were protected but also because they formed a collective community. There is in this conclusion, however, an unstated assumption that the people are capable of being held accountable for such a nuclear threat. This assumption seems to be valid except in one particular case. There exists a group of individuals, within the collective group, to whom accountability, by definition,
cannot be ascribed. This is the group composed of little children. This means that there is a group within the collective community of nation A that cannot be held individually vicariously accountable for their nation's nuclear threat. If these little children cannot be held accountable, then they must be innocent; and if they are innocent, then that would preclude the moral permissibility of nation B's intentional threat against nation A, for it would involve the intention to cause the deaths of innocent people. A rejoinder to this might be that little children do not belong within the collective group; and, since the intentional threat is only against the collective group, there would be no intention to take the lives of innocent people. Thus, proposition (8) is not violated. The problem with this rejoinder is that it neglects to distinguish between the conceptual enumeration of who does and does not belong within the collective group and the actual enumeration of the members of the society. Even though the little children may not be within the collective enumeration, they are physically located among the members of this group. Thus, any intentional threat against the collective group will unavoidably entail an intentional threat against innocent children; and this is morally impermissible.

The second approach to a solution ultimately requires that we deny that proposition (8) is absolute. In order to do this we must show that there is good reason to believe that the intentional threat to cause the death of innocent human beings is not absolutely prohibited. This threat can be divided into two separate components: (a) a declarative threat in which a declaration is made to the citizens of the opposing nation that they will be killed if they behave in certain ways and (b) an imposition of risk (i.e., they are put under the risk of death). If both the threat and the content of the threat (i.e.,
the imposition of risk) are shown not to exhibit an absolute prohibition, then we will have good reasons for denying the absolute nature of the intentional threat to cause the deaths of innocent people as a means of national defense; and this constitutes a denial of the absoluteness of proposition (8). We shall begin, then, with the declarative threat. First of all, there seem to be four ways in which declarative threats are thought to be morally impermissible: (a) threats are often counter-productive and sometimes encourage the impermissible conduct they attempt to deter; (b) they may be effective in deterring permissible conduct (thereby restricting the threatened party's rightful liberty); (c) they may cause fear and anxiety; and (d) their use may damage relations between the parties involved. None of these, however, seem to be the kinds of considerations that would support an absolute prohibition. There seem to be no compelling reasons why we should suppose that declarative threats should not be permitted when it is the case that the above features are, for the most part, absent. For example, imagine that a declarative threat will probably be effective, is aimed at preventing impermissible behavior, does not cause an extreme amount of anxiety (compared to alternative courses of action open to the threatener) since the people being threatened are accustomed to living with it, and is not destructive of relations between the parties involved because threats of this kind are considered to be a normal element in those relations. It is not likely that this type of threat is impermissible simply because it is a threat. Nevertheless, there are some who would argue that the declarative threat involved in nuclear deterrence is just of this type. It seems unlikely that simply a declarative threat alone is sufficient reason to suppose that it is absolutely prohibited to make a threat to take the lives of a large number of innocent people. It certainly seems
possible that the bad effects that a declarative threat may produce could be overriden by the benefits of the threat. In this case, such a threat would be justified.

This brings us to the second component of deterrent threats and the imposition of risk. It is also the point at which the third possible solution comes in, for the imposition of risk entails the intention to do harm (which will involve the Wrongful Intentions Principle). What we need to demonstrate is that there is at least one set of circumstances in which the Principle does not apply. If we can do this, then not only will we be able to deny the efficacy of proposition (6) is an important instance, we will also be able to deny the absoluteness of proposition (8). To begin, it seems clear that the Wrongful Intentions Principle connects the morality of an intention solely to the moral qualities of the intended act. Thus, if the actual performance of an act is wrong, then to (knowingly) intend to perform it is wrong. As we noted earlier in our discussion, this is not unreasonable since it is typically the case that the only significant effects of intentions are the acts of the agent (and the consequences of these acts) which flow from these intentions. However, it is important to note that there are certain situations in which intention may have effects that are independent of the intended act's actually being performed. For example, intentions to act may have the effect of influencing the conduct of other people. And it may be the case that some of these effects would not be morally impermissible. If so, the Wrongful Intentions Principle would not apply. In order to demonstrate this, it is essential to note that the Principle applies to standard conditional intentions in the same manner that it applies to nonconditional intentions. This means that if it would be wrong to perform an action in certain circumstances, then it is also wrong to intend to
perform that act on the condition that those circumstances arise. However, although the Wrongful Intentions Principle applies, for the most part, to conditional intentions, there is a sub-class of such intentions to which the principle does not seem to apply. These are deterrent intentions, i.e., those conditional intentions whose existence depends upon the person's desire to deter others from performing the antecedent condition of the intention. The unique nature of these intentions can be explained by the distinction that can be shown between intending to do something and desiring (or intending) to intend to do it. In most cases, an individual will form the intention to perform an act because he either desires doing that act as an end in itself or as a means to other ends. Thus, in these cases, the reasons behind desiring to intend to perform an act are that the agent wants to perform the acts. This is not the case with deterrent intentions. In these situations, the desire to form an intention is entirely distinct from any desire to carry it out. Thus, in these cases, the reasons behind desiring to intend to perform an act are not that the person wants to perform the act, but for other reasons (i.e., to prevent harm). Hence, while it may certainly be the case that the object of an individual's deterrent intention might be an evil act, it does not follow that, in desiring to adopt that intention, he desires to do evil, either as an end or a means. The central point seems to be that deterrent intentions are not intentions to do harm, rather they are intentions to prevent undesirable circumstances from coming about. And in fact, if a deterrent intention fulfills its purpose, it thereby ensures that the intended (and possibly evil) act is not performed by preventing the circumstances of performance from arising. Therefore, deterrent intentions seem to prevent evil from occurring, and this is an acceptable consequence. The Wrongful Intentions Principle does not apply in this situation.
How does this help us? It is possibly the case that the intentions connected with the threat involved in nuclear deterrence are just the sort of deterrent intentions we have been discussing. This would mean that the reasons grounding the desire on the part of nation A to form an intention to cause the deaths of innocent people would not be to carry out the intention, rather they would be to prevent the circumstances of performance from arising (i.e., to prevent harm). In these cases, the Wrongful Intentions Principle does not apply. Now, if this is the case (and it seems to be), then not only may we deny the absolute nature of declarative threats, we may also deny that the content of the threat is absolutely prohibited. In doing this, we negate the absolute prohibition against the intentional threat to cause the deaths of innocent people as a means of national defense (proposition (8)).

To summarize, we stated previously that we would have a solution if we could either demonstrate that nation A can legitimately protect itself (via nuclear deterrence) against nation B or if we could demonstrate that nation B cannot legitimately protect itself (via nuclear deterrence) against nation A. The foregoing discussion accommodates both of these approaches. First, we just demonstrated that the absolute nature of proposition (8) may be denied. If the intentional threat to cause the deaths of innocent people as a means of nation defense is not absolutely morally impermissible, then the possibility exists that nation A can legitimately protect itself by way of nuclear deterrence. Second, we demonstrated that even proposition (8) remains absolute, since little children cannot be held individually vicariously accountable, nation B cannot legitimately protect itself, by means of nuclear deterrence, against nation A.

In achieving the aims of this essay, we have, in addition, accomplished two important
purposes. First, we have gained, within a specific context, a simple, abstract or conceptual understanding of the moral permissibility of nuclear deterrence. Given the logical method by which we have arrived at this understanding, we can be assured that if our premises are true, then our conclusions must be true, for that is the nature of valid arguments. For some, this simple understanding is satisfying in and of itself. This, however brings us to the second achievement which is that in gaining such a conceptual understanding, we have laid the foundation for its practical application. It is possible, at this point, to analogize the proposition of our imaginary world to situations in our present world. If there is enough similarity in relevant respects, then the conclusions arrived at in the essay will be applicable to current circumstances. Although we will not now attempt to provide such an analogy, this essay may serve as its preface.
ENDNOTES


2 Ibid.


4 The nature of this essay is such that it involves the analysis of concepts and ideas rather than empirical facts. Thus, the adequacy of this paper will depend upon the soundness of the arguments presented, i.e., the validity of the logic and the truth of the premises. As the essay is read, the reader should make sure that these two requirements are satisfied.


6 Ibid., pp. 62-63.

7 Douglas P. Lackey, "Intentions of Deterrence," (Baruch College, SUNY), p. 2 (Typewritten).


13 When we speak of nuclear deterrence, we are not discussing (directly) the significance of nuclear weapons or nuclear war. These concepts, in and of themselves, seem to be value laden and spontaneously evoke moral argument. What we are concerned with are threats—threats that impose a risk of harm to innocent people with the intention to make those threats efficacious. In the context of nuclear deterrence, it is not the threat itself that is of moral relevance, but rather it is the intention to carry out the threat. If there is no intention, then the threat is simply an empty (i.e., harmless) declaration. On the other hand, if an intention is connected to the threat, then (in accordance with the Wrongful Intentions Principle), and only then, does the question of moral permissibility arise. For these reasons, proposition (11) is a bi-conditional statement.
Now, perhaps, is a suitable time to make an important clarification that will be in force throughout the remainder of the essay. Given the veracity of the Wrong Intentions Principle, it seems to be the case that any threat which has conjoined to it the intention to take the lives of innocent people is morally impermissible (we will discuss this notion specifically later in the essay). Therefore, it is highly unlikely that any nation would publicly pronounce such an intentional threat. Nuclear deterrence involves the intentional threat to use nuclear weapons, and the actual use of nuclear weapons may or may not result in the deaths of innocent people. Nuclear weapons detonated among a population of innocent people will unavoidably cause deaths of innocent human beings. In a case such as this, the deaths of innocent people would be an epiphenomenon of the use of nuclear weapons. Thus, the intention to use nuclear weapons (since in this case it would inevitably cause the deaths of innocent people) can be equated with an intention to take the lives of innocent human beings. On the other hand, if there are no innocent people, then it seems obvious that the intentional threat to use nuclear weapons could not be equated with an intention to take the lives of innocent people. The central point is that throughout the essay, when we speak of the intentional threat to cause the deaths of innocent people, what we are implying is that there is an intentional threat to use nuclear weapons and that this use unavoidably causes the deaths of innocent human beings.

Immanuel Kant stated that "freedom, insofar as it is compatible with the freedom of everyone else . . . , is the one sole and original right that belongs to every human being by virtue of his humanity. This is the freedom that allows each individual to pursue his own ends, whatever they may be, provided that this pursuit

16 Machan, "A Reconsideration of Natural Rights Theory," p. 63. According to him, the value that is the end of human conduct is living fully as a human being.


19 If an object has value for us, then that object possesses a degree of importance or significance in our lives; and if an object is important to us, then we should be willing to promote and protect it. Thus, if an object has value for us, then part of what we mean by this is that we are willing to promote and protect that object. Likewise, if we are not willing to promote and protect an object, then that object does not have value for us. In the case of human life, since it is the basis for all other values, it is endowed with supreme worth. Thus, not only should human life be promoted and protected, it should be promoted and protected above all other objects. It seems self-evident, therefore, that an institution that promotes and protects human life should be encouraged (for it is promoting and protecting that object which has no higher value). On the other hand, an institution that neither protects nor promotes human life should be avoided. This, too, seems intuitive. If human life is the basis for all other values, then
if human life is not promoted and protected, then all other values must decline in their protection and promotion; and if these values are neither protected nor promoted, then morality will be undermined; and if morality is undermined, then society will degenerate (see Devlin, The Enforcement of Morals, pp. 10-11). Therefore, not only should institutions that protect and promote human life be promoted, institutions that fail to promote and protect human life should not be encouraged.

Suppose now that X has supreme worth. This means that institution I should be promoted if and only if I promotes and protects X. Suppose, in addition, that a subordinate value V is essential to the worth of X (that is, X is devalued in the absence of V). This means that if V is promoted, then X is promoted, and if V is not promoted, then X is not promoted. Thus, if I promotes and protects V, then I promotes and protects X; and if I promotes and protects X, then I should be promoted. On the other hand, if I fails to promote and protect V, then I fails to promote and protect X; and if I fails to promote and protect X, then I should not be promoted.

In addition, we can also conclude that institution I should be promoted if and only if I promotes and protects V. Thus, if X is human life and V is individual autonomy, then any institution, I, should be promoted if and only if I promotes and protects individual autonomy.


22 What is being claimed here is that these rights are analytically entailed by collective control. It is similar to saying that "single adult male" is entailed by "being a bachelor." What we
are saying is that if these rights obtain, then the people have collective control; and if the people have collective control, then these rights obtain. The justification for this entailment is possible by simply analyzing the meaning of certain words:

(1) If the people collectively control the government, then they have collective power over the government.
(2) If the people have collective power over the government, then they have the ability to collectively affect the behavior (i.e., opinions, decisions, and policies) of the government.
(3) But the ability of the people to collectively affect the behavior of the government means that they can (collectively) pick their leaders and influence their opinions, desires, and policies.
(4) If the people collectively control the government, then they have the ability to collectively determine who their leaders will be and to influence their opinions, decisions, and policies.
(5) However, rights (a) and (c) guarantee that the people will have the ability to collectively determine who their leaders will be and to collectively influence the behavior of these leaders.
(6) If the people have collective control, then rights (a) and (c) obtain.

This gives us one of the conditionals of the entailment. The second conditional is obtained by simply working through the argument in reverse order:

(1') If rights (a) and (c) obtain, then the people have the ability to collectively determine who their leaders will be and to collectively influence the behavior of these leaders.
(2') If the people have the ability to both collectively determine who their leaders will be and collectively influence the behavior of these leaders, then they have the ability to collectively affect the behavior of the government.

(3') If the people have the ability to collectively affect the behavior of the government, then they have collective power over the government.

(4') If the people have collective power over the government, then they collectively control the government.

(5') If rights (a) and (c) obtain, then the people collectively control the government.

This establishes the second conditional. Thus, we can say that these rights analytically entail collective control.

The reader will notice that right (b) has not been accounted for. Normally, control entails power and this concept of power is supplied by rights (a) and (c). But it is possible for X to have power over Y and yet not know that he has this power. In dealing, however, with the relationship involved with collective control of government, it seems imperative that the people should have a knowledge of their control. This knowledge concept is supplied by right (b). Thus, strictly speaking, the two conditionals of our bi-conditional statement should read as follows: If rights (a), (b), and (c) obtain, then the people (knowingly) have collective control over the government and if the people (knowingly) collectively control the government, then rights (a), (b), and (c) obtain.


25 Schell, Fate of the Earth, p. 187.

26 This hypothetical syllogistic sequence was derived from the word "control." Webster's Third New International Dictionary, Unabridged (1969), s.v. "control."

27 Roderick M. Chisholm, "Human Freedom and the Self," in Free Will, ed. Gary Watson (Oxford: Oxford University Press, 1982), pp. 25, 28. Assuming, of course that free agency exists, if X determines Y, what we are saying is that X brings Y about as a result of certain acts. Thus, there is a particular (causal) relationship between the acts that X performs and the consequence of those acts, Y. Now, when X is held responsible for Y, what is being said is that there is some act, to which Y is causally linked, such that X performed that act.

28 Moritz Schlick, "When is a Man Responsible?", The Problem of Ethics, trans. David Rynin (New York: Prentice-Hall, 1939), pp. 151-154. In this section, Schlick implies both that a person is responsible if it pays to punish him, and if it does not pay to punish him, then he is not held responsible.

29 Joel Feinberg, "Collective Responsibility," Doing and Deserving (Princeton, NJ: Princeton University Press, 1970), pp. 225-26. A person can be held individually vicariously accountable in two ways: first, he may have the necessary relationship to another individual such that he is
held (vicariously) accountable for the actions of that person or, second, he may be a member of a collective group which is being ascribed liability. Obviously, we are using individual vicarious accountability in this second sense. Thus, if a person is individually vicariously accountable, then it must be the case that he is a member of a collective group which is being assigned liability.


32 In the sense I am using it, the term "little child" may be equated with the phrase "a person under seven years of age." By definition, a child is a person who is not fully developed (both mentally and physically) and lacks maturity with regards to experience and judgement. As a result, children are deficient in the ability to form opinions and evaluate by discerning and comparing. But to be deficient in these respects precludes the ability to understand the complexities of the world. And if a person cannot understand the complexities of his environment, then he cannot be held morally or legally competent. However, if a person is not competent, then he cannot be punished. According to proposition (46), a person is accountable only if he is subject to punishment. Thus, if a person cannot be punished, then he cannot be held accountable. Since part of what it means to be a little child is to lack moral and legal competence, little children cannot be held accountable. Black's Law Dictionary, rev. ed. (1968), s.v. "infancy" and "infants." Webster's Third New International Dictionary, unabridged (1969), s.v. "child" and "childish."

34 Ibid.

35 Ibid.


37 Ibid., p. 289.

38 For example, suppose that I form the intention to take the life of my roommate if he neglects to lock the door again, but fail to kill him only because he happens (fortuitously) to lock the door. It seems to be the case that I am as bad (or almost as bad) as if he had failed to lock the door and I had killed him. My failure to perform the act no more erases the wrongness of the simple (nonconditional) intention to kill him. Ibid.

39 Ibid., pp. 290-91.

40 Ibid.
BIBLIOGRAPHY


Holdren, John P. "The Dynamics of the Nuclear Arms Race: History, Status, Prospects." In Nuclear Weapons and the Future of Humanity. Edited by Avner Cohen and


Lackey, Douglas P. "Intentions of Deterrence." Baruch College. SUNY (Typewritten).


National Conference of Catholic Bishops. The Challenge of Peace: God's Promise and Our
NUCLEAR PERPLEXITY


