



# **U.S. NUCLEAR DECLARATORY POLICY 2021: THE RENEWED DEBATE ABOUT SOLE PURPOSE AND NO-FIRST-USE**

**Annotated Bibliography**

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### U.S. Nuclear Declaratory Policy 2021: the Renewed Debate about Sole Purpose and No-First-Use<sup>1</sup>

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Declaratory policy and public statements about the potential use of nuclear weapons serve many important roles. They provide an assessment of the security environment, and inform the public debate. These statements also enhance deterrence messages and signals towards adversaries, and reassure allies and partners. On the global level, U.S. declaratory policy has the potential to shape international trends and norms, influence nuclear proliferation, and it may also affect the policy decisions of other nuclear possessors. As the Biden administration reviews the elements of U.S. nuclear declaratory policy, the issue of sole purpose and no-first-use is likely to resurface. Previous administrations have examined these policies in multiple rounds of review, and they decided that the time was not right for such declarations. This literature review was prepared to inform the debate by collecting some of the most prominent articles on the topic that highlight the potential risks and benefits of these policies.

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<sup>1</sup> *The views and opinions of authors expressed herein do not necessarily state or reflect those of the United States government or Lawrence Livermore National Security, LLC, and shall not be used for advertising or product endorsement purposes.*

Franklin C. Miller, *Sole Purpose: A Policy Without a Purpose*, RealClearDefense, September 19, 2020, [https://www.realcleardefense.com/articles/2020/09/19/sole\\_purpose\\_a\\_policy\\_without\\_a\\_purpose\\_577999.html](https://www.realcleardefense.com/articles/2020/09/19/sole_purpose_a_policy_without_a_purpose_577999.html).

Miller argues that during the Cold War, the whole purpose of threatening to use nuclear weapons first was to defend NATO Europe from a devastating conventional attack by the Soviet Union. Today, many allies remain worried about a Russian conventional attack. According to Miller, conventional deterrence of a determined aggressor has generally failed throughout history. While proponents of sole purpose claim that escalation control would probably not work in a nuclear exchange, and thus nuclear use should not be risked, Miller argues that the uncertainty about escalation control is exactly why deterrence works. *“The whole point of the threat of nuclear escalation is that no one knows where it would end, and potential enemy leaders, in deciding whether or not to attack, must question whether what they seek to gain through aggression is worth the potential destruction of their homelands.”* Miller warns that *“abandoning our current policy will reduce allied confidence in the U.S. pledge to defend them, potentially undercut U.S. nonproliferation objectives, and will have no effect on policies or perceptions in either Moscow or Beijing.”*

Steven Pifer, *Nuclear Weapons: It’s Time for Sole Purpose*, National Interest, September 15, 2020, <https://nationalinterest.org/feature/nuclear-weapons-it%E2%80%99s-time-sole-purpose-168968>.

The sole purpose posture would eliminate ambiguity that preserves the option to use nuclear weapons first in response to a conventional attack. According to Pifer, *“Adopting the sole purpose is a sensible step that would foreclose an option that no president has ever chosen . . . or ever would.”* He adds that *“Given the prospect of nuclear escalation once any nuclear weapons are used, and the changes in conventional force balances over the past thirty years, the chance that an American president would choose to use nuclear weapons first is vanishingly small.”* America’s allies and partners think that the U.S. threat to use nuclear weapons first lacks credibility, which also undermines their trust that the United States would use nuclear weapons in response to a nuclear attack on them. Eliminating the ambiguity by adopting the sole purpose might not provide a huge security bonus, but it would have a positive impact on great power relations. *“It is not in the U.S. interest that the Russians believe America might go nuclear first and develop a posture to beat Washington to the nuclear punch. That fosters conditions that could be very dangerous in a conventional crisis or conflict and make nuclear use more likely.”*

Franklin C. Miller, *Outside Perspectives on Nuclear Deterrence Policy and Posture*, Prepared Testimony before the House Armed Services Committee, March 6, 2019, <https://www.govinfo.gov/content/pkg/CHRG-116hrg36235/pdf/CHRG-116hrg36235.pdf>.

Miller argues that *“adopting a policy of no first use, while of superficial and popular appeal, will in fact produce instability, undercut deterrence, and cause great concern among U.S. allies, while having no effect on Russia or China.”* Miller gave four main

reasons for his opposition to no-first-use. First, allies depend on a policy that the United States would escalate to nuclear use to end a conventional war in Europe. Second, some of those allies can build their own nuclear weapons, if the United States removes that guarantee, it could lead to the proliferation of nuclear weapon states in the world. Third, a no-first-use declaration by the United States is not going to change Chinese and Russian views: the Russian view is first use; the Chinese say they have a no-first-use policy, but there is enough intelligence to indicate that it is a very questionable condition, and it could change in a moment. And fourth, there is absolutely no reason why the Russian or Chinese leaderships would believe in a U.S. no-first-use pledge.

Bruce Blair, *Outside Perspectives on Nuclear Deterrence Policy and Posture*, Prepared Testimony before the House Armed Services Committee, March 6, 2019, <https://www.govinfo.gov/content/pkg/CHRG-116hrg36235/pdf/CHRG-116hrg36235.pdf>.

Blair argues that it is time for the United States to pivot away from “warfighting” as the driving principle of U.S. nuclear posture. *“This means recognizing that the sole purpose of nuclear weapons is to deter their use by others. It is not to deter conventional aggression. We have ample capabilities with our allies to deter, defeat, and punish conventional aggression. And the flip side, the operational side of sole purpose, is no first use. No first use is axiomatic and true deterrence because it means threatening to respond to an attack, not to initiating one. No first use is further justified by the absence of foreseeable scenarios, in my view, that would ever motivate a U.S. President to use nuclear weapons first.”*

Joan Rohlfing, *Outside Perspectives on Nuclear Deterrence Policy and Posture*, Prepared Testimony before the House Armed Services Committee, March 6, 2019, <https://www.govinfo.gov/content/pkg/CHRG-116hrg36235/pdf/CHRG-116hrg36235.pdf>.

According to Rohlfing, no-first-use is the right goal for the United States. She argues that continuing with a first use policy has negative consequences—it increases the risks of nuclear use and also underlines the significance of these weapons, making them more appealing to proliferators. She also adds that *“I believe the United States threat to retaliate using the full force of our nuclear arsenal is plenty of deterrent capability. I also cannot imagine a world where we, as the world’s strongest superpower, would be prepared to use nuclear weapons first in a preemptive way, and be willing to bear the consequences.”*

Michael Krepon, *No use*, Arms Control Wonk, January 24, 2021, <https://www.armscontrolwonk.com/archive/1210740/no-use/>.

Krepon summarizes the logic of the no-first-use campaign as follows: *“Campaigns for the adoption of No First Use speak to our common humanity. They are necessary antidotes to nuclear war-fighting plans premised on seeking advantage and dominance. No First Use is also an essential counter to the hubris of believing that escalation can be controlled once this threshold has been crossed.”* Krepon, however, underlines that in his view, *“No First Use, like First Use, has credibility problems. To begin with, nuclear armed states do*

*not believe in a rival's declaration of No First Use. Pakistan, for example, doesn't believe Indian declarations of No First Use. U.S. deterrence strategists question China's adherence to No First Use. And Russia and China are unlikely to be swayed by a professed fealty to No First Use by the Biden administration. If we expect that a change in U.S. declaratory policy would lead to demonstrable, reassuring changes in the nuclear postures of rivals, we are likely to be disappointed."* Instead, Krepon recommends a different posture: *"If a forward-leaning affirmation of first use lacks credibility after seven decades of non-use, what's the best alternative? I favor the formulation of "No Use," in part because I'm partial to its double entendre effect. Unlike conventional capabilities that back up deterrence and arms control, nuclear weapons have no practical use in warfare. Since first use is likely to lead to retaliatory use, and since escalation control faces long odds, extending the nuclear peace requires No Use."*

Michael Krepon, *Not Just Yet for No First Use*, Arms Control Wonk, July 31, 2016, <https://www.armscontrolwonk.com/archive/1201722/not-just-yet-for-no-first-use/>.

Krepon admits that *"Despite Putin's annexation of Crimea and Russian salami-slicing elsewhere around its periphery, I still thought it might be possible as well as wise for President Obama to declare that the sole purpose of U.S. nuclear weapons is to deter their use by others."* On the issue of no-first-use, he argues that it is far-fetched to believe that allies would pursue nuclear weapons if the U.S. declared a no-first-use policy. Krepon also adds that *"There's no compelling evidence that the threat of first use has helped to deter war."* Besides, *"Since one nuclear detonation is very likely to lead to the next, prospects for escalation control depend on No First Use."* At the same time, Krepon also admits that *"After the tag-teaming act by Putin and Trump, I now reluctantly acknowledge that the timing isn't right to adopt a No-First-Use posture."* He concludes by saying that the United States should focus on working to establish the conditions that will allow sole purpose and no-first-use in the future.

Brad Roberts, *Debating Nuclear No-first-use, Again*, *Survival*, Vol. 61, No. 3 (2019), p.39-56.

Roberts argues against the adoption of a no-first-use (NFU) policy. He reminds that the issue has been debated in government many times, and the conclusion was always the same. The 2009 Strategic Posture Commission was unequivocal and unanimous in rejecting NFU, despite its bipartisan cast. *"It did so with the argument that NFU would be harmful to extended deterrence: potential aggressors should have to worry about the possibility that the United States might respond by overwhelming means at a time and in a manner of its choosing."* The 2010 NPR came to the same decision. Advocates argued that *"NFU is beneficial for signaling a move away from Cold War thinking, which the president had promised in his April 2009 speech in Prague."* However, opponents of NFU prevailed with seven key arguments. First, there are still a few plausible circumstances in which the United States might be the first to employ nuclear weapons. Second, U.S. conventional forces, though preeminent, may not be sufficient to deter such threats to the vital interests of U.S. allies. Third, the United States and its allies could reduce their reliance on nuclear weapons but not eliminate their role entirely. Fourth, the tradition of calculated ambiguity had served deterrence well and should not be set aside at a time of

continued concern about the effectiveness of deterrence for new challenges. Fifth, the views of worried allies needed to be prioritized over those of more secure allies. Sixth, there was a desire to align U.S. nuclear declaratory policy with the policies of its two nuclear allies, the United Kingdom and France. And finally, the administration was broadly inclined to take the advice of the Strategic Posture Commission on tailoring nuclear strategy to promote bipartisanship. Subsequent reviews by the Obama administration and the 2018 Trump NPR came to the same conclusion about NFU. Roberts argues that it is still not time to adopt a NFU policy. *“NFU adoption at this time would undermine deterrence in significant ways at a time when deterrence is already weakening for other reasons. It would contribute to a further erosion of the assurance of allies and at a time when such assurance is already being tested for other reasons. It would add no meaningful leadership to non-proliferation and disarmament efforts. And it would have a corrosive impact on the residual elements of bipartisanship on nuclear policy in the Congress.”*

George Perkovich and Pranay Vaddi, *Proportionate Deterrence: A Model Nuclear Posture Review*, Carnegie Endowment for International Peace, January 2021, [https://carnegieendowment.org/files/Perkovich\\_Vaddi\\_NPR\\_full1.pdf](https://carnegieendowment.org/files/Perkovich_Vaddi_NPR_full1.pdf).

Regarding the issue of no-first-use, the authors caution against such a pledge. They argue that *“A no-first-use declaration without reduction of the weapons that are most tied to first use would be relatively meaningless to Moscow and Beijing.”* Besides, some allies *“may see NFU more broadly as a sign of U.S. withdrawal from its historic commitments to alliances. Still others—privately, at least—think NFU would weaken collective deterrence of Russia or China without securing any compromises or guarantees from them in return. Any consideration of declaratory policy change must involve sustained wide-ranging consultations with allies and examination of the significant potential for nuclear detonations occurring on or upwind from allied territory.”*

On sole purpose, Perkovich and Vaddi argue that it *“would be well advised if nuclear attack were the only adversarial threat that could not be defeated by non-nuclear means. However, if Russia or China were defeating U.S. and allied non-nuclear forces and threatening to inflict massive harm on their populations, then it would be imprudent to rule out proportionate use of nuclear weapons. It would be especially imprudent to do so if the United States, NATO, and U.S. allies and partners in Asia were not significantly improving their conventional military capabilities, the resilience of their military forces and societies, and their overall cooperation and cohesion. Thus, we recommend that the United States adopt an existential threat policy (ETP), declaring that it would ‘use nuclear weapons only when no viable alternative exists to stop an existential attack against the United States, its allies, or partners.’”*

Scott Sagan, The Case for No First Use, *Survival*, Vol. 51, No. 3 (2009), p.163-182.

Sagan supports the adoption of a no-first-use policy after appropriate consultation with allies. *“Strategic logic and evidence suggest that a US no-first-use doctrine would have fewer costs and bring greater benefits than commonly recognised.”* Sagan makes five key

arguments in favor of this declaration. First, *“given the current superiority of the United States in conventional military force, there are few credible scenarios in which America and its allies would face defeat in a major conventional war.”* The United States has the will and the ability to meet the full range of its deterrent and security commitments without the first use of nuclear weapons. The second problem is that first use *“threats do not just signal commitment, they create commitment. Thus, unless such threats work 100% of the time, the calculated-ambiguity doctrine increases the likelihood that the United States will use nuclear weapons first in response to a perceived imminent or actual chemical or biological attack.”* Third, a NFU policy would *“put the United States in a more tenable position in the ongoing effort to create a broader global consensus against the use of any weapon of mass destruction against non-combatants.”* Fourth, a *“no-first-use declaration would also usefully end the current inconsistency regarding US negative security assurances and the calculated ambiguity policy. Such a change in US declaratory policy could have a positive impact on the NPT.”* And finally, *“A US no-first-use declaration would also enhance US non-proliferation objectives by increasing international diplomatic support for tougher diplomatic measures against potential proliferators.”* Sagan also notes that U.S. behavior is highly influential and a U.S. no-first-use declaration would have at least some positive influence on nuclear possessors, pushing them in the right direction.

John Harvey, *Assessing the Risks of a Nuclear ‘No First Use’ Policy*, War on the Rocks, July 5, 2019, <https://warontherocks.com/2019/07/assessing-the-risks-of-a-nuclear-no-first-use-policy/>.

Harvey takes position against a no-first-use policy. He identifies three major risks of such a declaration. *“The first risk is to deterrence: Adversaries, absent a fear of reprisal, could be emboldened to act against U.S. interests. The second risk is to U.S. assurances to its allies: If America adopts no-first-use, then allies could lose confidence in America’s extended deterrence commitments. The third risk is to the goal of nonproliferation: Such lost confidence among America’s allies could spur them to develop and field their own nuclear weapons.”* At the same time, Harvey claims that the supposed benefits of NFU do not outweigh these risks. A U.S. no-first-use pledge, by itself, is unlikely to prevent misunderstandings between the great powers. It is also unlikely that *“adopting such a policy would set an example and cause nuclear adversaries to follow America’s lead ... several nuclear adversaries have acquired, or are currently seeking, nuclear weapons precisely to offset superior U.S. conventional capabilities.”* Besides, there is no evidence that such a policy would make other countries more inclined to cooperate with the United States to work toward a strengthened non-proliferation regime.

William J. Perry and Tom Z. Collina, *The Button: The New Nuclear Arms Race and Presidential Power from Truman to Trump* (Dallas, TX: BenBella Books, 2020).

One of the main recommendations of the book is to prohibit the first use of nuclear weapons. The authors argue that given U.S. conventional superiority, no rational president would use nuclear weapons first in any scenario, and thus U.S. threats to do so are not credible. Against a nuclear-armed state like Russia, first use would be suicide in the face of assured retaliation. Against a non-nuclear state, first use would start a race

among such states to go nuclear, it would make the United States an international outcast, and go against fifty years of U.S. non-proliferation policy. U.S. allies need to be reassured that a policy of no-first-use does not undermine Washington's commitment to their security. In the eyes of adversaries, the United States can make a policy of no-first-use more credible by adjusting its nuclear forces. ICBMs have no role other than as first-strike weapons and should be phased out. Finally, a credible U.S. no-first-use policy could encourage Russia to follow suit and back away from its hair-trigger launch status. The danger of Moscow blundering into nuclear war because of its first-use and high-alert policies is probably even greater than in the case of the United States. Thus, it is in the U.S. national security interest to do what it can to nudge Russia away from first use and into a second-strike-only posture. Perry and Collina support current legislative efforts that would make it U.S. policy to not use nuclear weapons first. In their view, this would supplement legislation to limit presidential sole authority. They also add that a no-first-use policy could be achieved by executive order.

Steve Fetter and Jon Wolfsthal, No First Use and Credible Deterrence, *Journal for Peace and Nuclear Disarmament*, Vol. 1, No. 1 (2018), p.102-114.

Fetter and Wolfsthal argue in favor of a no-first-use policy. *"A no first use policy would in no way reduce deterrence of nuclear attack against the United States or its allies. Nuclear weapons are not an effective deterrent against nonnuclear attack because there are few if any scenarios in which a US threat to use nuclear weapons first in response to non-nuclear aggression against the United States or its allies would be credible ... The United States and its allies must plan on deterring and defeating conventional aggression through conventional means. They cannot and should not rely on the magic of a nuclear umbrella, because the umbrella will not be effective under these circumstances."* The authors also warn that the threat of first nuclear use in response to non-nuclear attacks creates a commitment trap. In case of major non-nuclear attacks *"failing to respond with nuclear weapons could expose past commitments to use nuclear weapons as a bluff and call into question the credibility of the United States on all security and military matters."* At the same time, *"The benefits of adopting a policy of no first use include reducing the risks of accidental nuclear escalation or nuclear use from miscalculation, as well as supporting nonproliferation and disarmament efforts."*

James N. Miller, No to no first use—for now, *Bulletin of the Atomic Scientists*, Vol. 76, No. 1 (2020), p.8-13.

Miller argues that *"The United States should continue to work to reduce the role of nuclear weapons in its national security strategy with a long-term aim of shifting to a no-first-use policy; the question should not be whether, but under what conditions to make such a shift. While the conditions are not ripe today, working to establish them is a valuable goal."* Miller provides three main arguments to explain why a NFU declaration would be premature today. First, *"A biological weapons attack by a nuclear-capable country (such as North Korea) that kills hundreds of thousands or even millions of Americans, while seemingly unlikely, is unfortunately a plausible threat in the coming years or decades ... Given this reality, it certainly makes eminent sense to leave the*



*nuclear option on the table in US declaratory policy so as to contribute to deterrence of such an attack.” Second, “If it is plausible that a reasonable president could rationally decide that a highly impactful cyberattack by (say) Russia or China deserved a nuclear response, then it would be far better to make this clear in advance, so as to buttress deterrence of such an attack.” And third, a no-first-use policy could make U.S. adversaries feel emboldened to take military action. “In such a case the alliance structures that have prevented major power war since the end of World War II could come under intense pressure. No US political leaders should conclude that a no-first-use policy is in the best interests of the United States without closely considering the interests, views, and potential reactions of US allies in Europe and Asia.”*

Despite these risks, Miller claims that pursuing such a policy and working to create the conditions for NFU is a worthy goal. First, declaring no-first-use would reinforce the 75 years old norm against the use of nuclear weapons. And second, *“as the years and decades pass, future presidents and their advisors will be less and less likely to have thought deeply about the grave issues associated with nuclear weapons use.”* A no-first-use policy would usefully reinforce the gravity of any nuclear use to future U.S. leaders. Proponents of NFU should pursue a four-part agenda. *“First, work to reduce biological threats and improve US defenses and resilience. Second, do the same for cyber threats and other US vulnerabilities, including in outer space. Today, trends in all of these arenas appear to be moving in the wrong direction. Third, work to ensure that the US military’s non-nuclear warfighting capabilities remain preeminent, and allies’ capabilities are adequate, so that with improved positions in bio-defense, cyber defense, and space resilience, a sustainable bipartisan consensus in favor of no first use could be more feasible. And fourth, work to sustain strong alliances and partnerships, by reassuring allies and partners through words and actions that the US commitment remains strong and the US nuclear umbrella remains in place.”*



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