

Taboo or tradition? The non-use of nuclear weapons in world politics

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Abstract. The non-use of nuclear weapons since Hiroshima and Nagasaki in 1945 has emerged as a major puzzle in international politics. Traditional International Relations scholarship views this largely as a function of the deterrent relationship that emerged between the nuclear powers, especially during the Cold War era. The fact that nuclear weapons have not been used against non-nuclear states, despite temptations to use them, remains a challenge to the deterrence-only explanation. More normatively oriented scholars have argued that a taboo has emerged against the non-use of nuclear weapons. Nina Tannenwald's book, *The Nuclear Taboo* is the most comprehensive study on this subject which relies on constructivist logic of inter-subjective taboo-like prohibition in accounting for the puzzle. While I see much merit in Tannenwald's empirical case studies, it is far-fetched to call the non-use largely a function of a taboo-like prohibition. For, taboos by their very nature forbid discussions of their breaking, whereas nuclear states have national military strategies that call for nuclear use under certain circumstances. They have also in many crises situations considered the use of nuclear weapons. I have argued in my book, *The Tradition of Non-use of Nuclear Weapons* (Stanford University Press, 2009), that a more modest tradition can be given partial credit for the absence of nuclear attacks on non-nuclear states. The tradition emerged because of a realisation of the horrendous effects of nuclear attack (a material fact) which generated reputation costs for a potential user. These reputation costs in turn generated self-deterrence which has helped to create a tradition which is partially restraining nuclear states from using their weapons for anything other than existential deterrence. Unlike Tannenwald, I contend that the tradition is not a strict taboo and hence it can be altered if material and political circumstances compel nuclear states to do so. The recent policy changes that have taken place in nuclear powers such as the US, Russia, UK, and France do not augur well for the tradition as the conditions for atomic use have been expanded to include prevention, pre-emption and other non-proliferation objectives involving rogue states and terrorist groups.

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Introduction

The non-use of nuclear weapons since the US' bombing of Hiroshima and Nagasaki in 1945 has emerged as a major puzzle in international politics.

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Traditional International Relations (IR) scholarship views this largely as a function of the deterrence relationship that emerged among the nuclear powers, especially during the Cold War era. From this perspective, the US-Soviet and later on the US-China nuclear relationship was such that any use of nuclear weapons would have had escalatory potential and hence leaders of the nuclear powers, especially the US, prudently backed off from precipitating such an action. The fact that nuclear weapons have not been used by their possessors against non-nuclear states, despite temptations to use them, remains a challenge to the deterrence-only explanation. Compounding this is the fact that the US maintained a monopoly until 1949, and substantial superiority in nuclear capabilities until the mid-1950s, and refrained from attacking the Soviets despite calls to do so.

Normatively-oriented scholars have argued that a taboo has emerged in international politics against the use of nuclear weapons. Nina Tannenwald's book, *The Nuclear Taboo*, is to date the most comprehensive study that treats non-use under an inter-subjective constructivist logic, as a taboo-like prohibition. In this article I contend that the prohibition against nuclear use is better characterised as a tradition.¹ A tradition is a less stringent form of social phenomenon than a taboo is. A taboo has an absoluteness to it whereby individual leaders would not consider the use of nuclear weapons as a rational option under practically any circumstances. However, a tradition is less absolute and the history of the nuclear age shows that nuclear states have on many occasions contemplated the use of nuclear weapons – such as in Korea and Vietnam – only to back off in the end. The contemporary nuclear doctrines of many nuclear states also contain provision for nuclear first use, and even if the probability is low the fact that they consider this option undermines the argument that there exists a nuclear taboo. The difference between taboo and tradition can be thought of as a matter of degree; both involve informal normative challenges to nuclear use. The major difference is that the dimension of unthinking adherence to the norm against nuclear use, which figures prominently in Tannenwald's approach, is not present in a tradition. Traditions like the non-use norm are not so strong that humans accept them blindly to the degree they do for taboos.

First, this article will discuss the positives of the book. Tannenwald's work is indeed a major accomplishment as she has assembled much of the available material, especially on the US case, and makes a strong argument in support of her position on the taboo. In the book, Tannenwald also takes criticisms of her previously made arguments in journal articles seriously.² Indeed one can notice

¹ More details on my position in favour of the tradition can be found in, T. V. Paul, *The Tradition of Non-Use of Nuclear Weapons* (Stanford: Stanford University Press, 2009), chaps 1–2.

² Her earlier works include: Nina Tannenwald, 'Stigmatizing the Bomb: Origins of the Nuclear Taboo', *International Security*, 29 (Spring 2005), pp. 5–49; Nina Tannenwald, 'The Nuclear Taboo: The US and the Normative Basis of Nuclear Non-use', *International Organization*, 53 (Summer 1999), pp. 433–68; Richard Price and Nina Tannenwald, 'Norms and Deterrence: The Nuclear and Chemical Weapons Taboos', in Peter J. Katzenstein (ed.), *The Culture of National Security* (New York: Columbia University Press, 1996), p. 137. Previous publications on this subject include: Thomas C. Schelling, 'The Role of Nuclear Weapons', in Benjamin L. Ederington and Michael J. Mazarr (eds), *Turning Point: The Gulf War and US Military Strategy* (Boulder, CO: Westview Press, 1994), p. 110; Thomas C. Schelling, *The Strategy of Conflict* (Cambridge, MA: Harvard University Press, 1980), p. 260; John Lewis Gaddis, 'Nuclear Weapons, the End of the Cold War, and the Future of the International System', in Patrick J. Garrity and Steven A. Maaranen (eds) *Nuclear Weapons in a Changing World* (New York: Plenum Press, 1992); Peter Gizewski, 'From Winning

subtle changes from her previous works on the subject, especially giving more importance to material factors for the rise of the taboo. Tannenwald is right on the point that it was not simple realpolitik calculations or deterrence that prevented nuclear use by the nuclear weapon states (NWS) since the Nagasaki attack, especially toward non-nuclear states. There is indeed an inter-subjective understanding in the global community against nuclear use and this seems to have prevented nuclear attacks in limited wars involving non-nuclear states, even though we cannot fully discount tactical/strategic unsuitability in many contexts where nuclear weapons use did not occur. However, the extent of the power and endurance of the normative prohibition are matters of debate, and whether it is a fully-entrenched taboo-like prohibition or a more limited tradition is an issue that needs clarification. Here the big issue is the degree of strength of the norm against nuclear use.

The arguments in favour of a normative explanation for the non-use of nuclear weapons rest on a number of premises. First, rarely have countries stopped using a weapon for such a long period of time, even as they kept on building additional weapons to improve their stockpiles. Second, many nuclear states lost or stalemated wars with non-nuclear states (for example, in Vietnam, Afghanistan and Korea), at the cost of lost credibility and reputation. Third, looking through the detailed materials that US decision-makers have left behind, one can realise that they did not see nuclear arms as simple war-winning weapons, but as instruments that would bring infamy to the people who ordered their use. Indeed the concerns of retaliation or escalation seem to be of less importance in many of the deliberations among US policymakers on which archival materials are now available.³ Finally, a norm-like prohibition against nuclear use seems to have evolved over a period of time due to the efforts of norm entrepreneurs such as scientists, peace movements, and developing countries, the latter especially under the aegis of the non-aligned movement.⁴

In the book, Tannenwald contends that the non-use of nuclear weapons is not just a tradition. To her, traditions are based on reciprocity and, therefore, they are less robust. She lists a number of reasons for her argument in favour of calling non-use a taboo. First, 'leaders and publics have come to view this phenomenon not simply as a rule of prudence but as a taboo, with an explicit normative aspect, a sense of obligation attached to it'.⁵ Second, the non-use norm might outlast a violation, just as with other taboos: 'although use of a nuclear weapon would certainly violate the taboo, whether such use disrupted the taboo would depend on the circumstances of its use and how other nations responded to the violation'.⁶ (However, she concedes that the nuclear taboo is perhaps the most fragile of all social taboos, such that if it is violated, it may need 'extraordinary measures' to

Weapon to Destroyer of the World: The Nuclear Taboo in International Politics', *International Journal*, 51 (Summer 1996), pp. 397–419; T. V. Paul, 'Nuclear Taboo and War Initiation: Nuclear Weapons in Regional Conflicts', *Journal of Conflict Resolution*, 39 (December 1995), pp. 696–717; George Quester, *Nuclear First Strike: Consequences of a Broken Taboo* (Baltimore, MD: Johns Hopkins University Press, 2006).

³ These are covered extensively in Paul, *Tradition of Non-Use*, chaps 3 and 4, as well as Tannenwald, *The Nuclear Taboo* (Cambridge: Cambridge University Press, 2007).

⁴ For these see, Paul, *Tradition of Non-Use*.

⁵ Tannenwald, *The Nuclear Taboo*, p. 14.

⁶ *Ibid.*, p. 15.

‘restore and reconstruct’ it.⁷ To Tannenwald, continued nuclear non-use is based on a taboo and not a tradition ‘because people believe it is a taboo (with associated taboo-like qualities) and because, as it strengthens over time, it became decreasingly based on reciprocity’.⁸

Why is it a tradition?

While I see some merit in Tannenwald’s theoretical arguments and empirical case studies, it is farfetched to regard the continued non-use of nuclear weapons a function of a taboo-like prohibition. I have argued in my book, *The Tradition of Non-use of Nuclear Weapons*, that a more modest tradition and the resultant reputation costs involved in breaking it may be assigned some credit for the absence of nuclear attacks toward non-nuclear states. Traditions and taboos are socially driven patterns of behaviour and expectations that emerge over a period of time, but the former are not as stringent as the latter. According to Webster’s dictionary, a tradition is ‘an inherited, established, or customary pattern of thought, action, or behavior (as a religious practice or a social custom)’.⁹ It is passed on from one generation to the other and social groups are expected to observe it as an ‘accustomed obligation’. Edward Shils conceives of tradition, in its ‘barest, most elementary sense’, as ‘anything which is transmitted or handed down from the past to the present’. The components of a human action that can be transmitted to a subsequent generation ‘are the patterns or images of actions which they imply or present and the beliefs requiring, recommending, regulating, permitting, or prohibiting the reenactment of those patterns’.¹⁰ Although traditions have these imperatives (require, recommend, etc.) attached to them, observance is not automatic:

Only living, knowing, desiring human beings can enact them and reenact them and modify them [...] Traditions can deteriorate in the sense of losing their adherents because their possessors cease to present them or because those who once received or reenacted and extended them now prefer other lines of conduct or because new generations to which they were presented find other traditions of belief or some relatively new beliefs more acceptable, according to the standards which these generations accept.¹¹

What this means is that traditions have a greater degree of malleability than taboos. They are sustained – or not – by human action. We contemplate whether to break them; we change and adapt them in subtle ways over time; we subject them to debate rather than internalising them to the point of unconscious, unthinking acceptance. Past actions have present relevance because of the imperatives attached to them, but it is up to present actors to decide whether and to what degree to carry them forward.

⁷ Ibid., p. 16.

⁸ Ibid., p. 17.

⁹ Merriam-Webster Online Dictionary, ‘Tradition’, {<http://mw1.m-w.com/dictionary/tradition>}.

¹⁰ Shils, *Tradition* (Chicago: University of Chicago Press, 1981), p. 12.

¹¹ Ibid., pp. 14–5. This is only one take on traditions. Eric Hobsbawm, for example, considers tradition to be much more rigid than custom. My view of tradition is accordingly closer to Hobsbawm’s conception. See, Hobsbawm, ‘Introduction: Inventing Traditions’, in Eric Hobsbawm and Terence Ranger (eds), *The Invention of Tradition* (Cambridge: Cambridge University Press, 1983), pp. 2–3.

I have five basic reasons for thinking that 'tradition' better captures the norm of non-use than 'taboo'. The first is the issue of explicitness. Tannenwald herself acknowledges: 'a taboo is also generally associated with such qualities as absoluteness, unthinkingness, and taken-for-grantedness'.¹² Most human beings do not even consider breaking a powerful social taboo, for example, against cannibalism, under most circumstances. This does not adequately characterise the way that state leaders and the public at large think about nuclear use. The nuclear powers have strategic doctrines that call for nuclear use under certain conditions. The US, Russia, UK and France have indeed enlarged those conditions which now include prevention and pre-emption of use of weapons of mass destruction by non-nuclear states. In a strict interpretation of this policy, these could include chemical and biological weapons. The policy changes during the Bush era (slightly modified by the Obama administration in 2010) with regard to the conditions for atomic use have been expanded to include prevention, pre-emption and other non-proliferation objectives involving rogue states and terrorist groups.¹³ Had it been a well-entrenched taboo-like prohibition, such policy alterations would not have been contemplated or implemented by the nuclear weapon states with very little public debate. Therefore, the big challenge here is that the supposedly 'rational discourse' surrounding nuclear use cannot be captured under the concept of a taboo-like prohibition on nuclear use since such a concept implies that the taboo is internalised. Instead, nuclear use is continually subject to debate, and as such the norm against it is not as strong as a taboo.

Public opinion in nuclear states does not seem to accord with the existence of a taboo-like prohibition against nuclear use. A substantial majority in opinion polls in the US prior to the 2003 Gulf War favoured the use of nuclear weapons in the event of Saddam Hussein using chemical and biological weapons.¹⁴ In Israel, there has been a steady increase of support for nuclear response to chemical and/or gas attacks, from 36 per cent in 1986 to 80 per cent in 1998.¹⁵ The punishment the publics in these countries were willing to inflict was certainly most disproportionate to the damage chemical and biological weapons could have caused.

¹² Tannenwald, *The Nuclear Taboo*, p. 11.

¹³ For these policy changes, see US President, 'The National Security Strategy of the US of America', Washington, DC, (17 September 2002), p. 15; US White House, 'National Strategy to Combat Weapons of Mass Destruction', Washington, DC (December 2002), p. 3. See also, James J. Wirtz and James A. Russell, 'US Policy on Preventive War and Preemption', *The Nonproliferation Review*, 10 (Spring 2003), pp. 113–23. For the other nuclear powers, see Yuri Fedorov, 'Russia's Doctrine on the Use of Nuclear Weapons', working paper, Columbia International Affairs Online (November 2002), {<http://www.ciaonet.org/wps/fey02>}; *BBC News Online*, 'UK "Prepared to Use Nuclear Weapons"' (20 March 2002), {http://news.bbc.co.uk/2/hi/uk_news/politics/1883258.stm}; Michael Evans and David Brown, 'Britain's Nuclear Warning to Saddam', *The Times* (London) (21 March 2002); John Lichfield, 'Chirac Threatens Nuclear Attack on States Sponsoring Terrorism', *The Independent*, online edition (20 January 2006), David S. Yost, 'New Approach to Deterrence in Britain, France, and the US', *International Affairs*, 81 (2005), p. 106. Harsh V. Pant, 'India's Nuclear Doctrine and Command Structure: Implications for India and the World', *Comparative Strategy*, 24 (July 2005), p. 282.

¹⁴ In a *Washington Post*-ABC News Poll prior to the War, six in ten Americans surveyed found a US nuclear response acceptable 'if Hussein orders use of chemical or biological weapons on US troops'. Richard Morin, 'Most Favor Nuclear Option against Iraq', *Washington Post* (18 December 2002), p. A18.

¹⁵ Asher Arian, 'Public Opinion and Nuclear Weapons', *Strategic Assessment*, 1 (October 1998), {<http://www.inss.org.il/publications.php?cat=25&incat=&read=603>}.

The reason for the public's peculiar attitude is possibly that in official discourses the taboo idea is discouraged, and nuclear weapons are very much viewed as an instrument of peace, that is, a weapon that could be used to prevent aggressive behaviour by an adversary. Large sums of money are spent every year to maintain and update nuclear weapons and their facilities. If the taboo idea is deeply entrenched, the public would not have supported such a massive expenditure when other priorities probably deserve more attention.

States also treat the norm against nuclear use strategically in another sense. The desire to attract allies and the allegiance of developing countries, as well as non-proliferation objectives, contributed to the creation of this partially invented tradition. Hence rational self-interest cannot be ruled out in its observance. This kind of strategic thinking is not easily permitted under a taboo concept. Although some social taboos have functions such as the maintenance of social or family order, the strategic development of the non-use norm for alliance and public diplomacy purposes reflects a further dimension of conscious action that a taboo-like analysis cannot adequately capture. A tradition, on the other hand, is less stringent. Therefore the concept of a tradition can capture more accurately the less-than-complete commitment to nuclear non-use by nuclear weapons states.

Second, the taboo concept implies that 'deliberate nuclear use is seen as outside the pale, and is not seriously considered during hostilities'.¹⁶ However, many of the case studies I present in my book *The Tradition of Non-Use of Nuclear Weapons* show clear-cut evidence of serious consideration of nuclear use by the US leaders. President Harry Truman considered nuclear use in Korea and against China and even moved thermonuclear weapons to Guam and Okinawa at the height of the crisis in 1951. His dismissal of General Douglas MacArthur as commander of the UN forces in Korea was due to his fear that the general would use them without his authorisation.¹⁷ President Dwight Eisenhower is probably the most explicit in considering the use of nuclear weapons in conflict. He seriously pondered using it against China in 1953 and he claims that nuclear threat was essential for China to concede to the armistice agreement that ended the Korean War.¹⁸ Even two and a half decades since Hiroshima and Nagasaki nuclear attacks, the taboo idea was not well-entrenched. This is evident in President Richard Nixon's serious consideration of nuclear attack in Vietnam in 1969. The administration's plan, code-named 'Operation Duck Hook', involved use of tactical nuclear weapons to disrupt supply lines and to force Hanoi to capitulate. Nixon called his approach 'mad man theory' and in conversations with Kissinger, Nixon gave the impression that he was seriously open to the idea of using nuclear weapons against the North Vietnamese. The action was thwarted because of the fear of negative public opinion, that is domestic reputation costs and not for breaking the taboo.¹⁹

¹⁶ I owe this point to an anonymous reviewer.

¹⁷ On this, see Paul, *The Tradition of Non-use of Nuclear Weapons*; Bruce Cumings, 'On the Strategy and Morality of American Nuclear Policy in Korea, 1950 to the Present', *Social Science Japan Journal*, 1:1 (1998), p. 59; Rosemary J. Foot, *The Wrong War: American Policy and the Dimensions of the Korean Conflict, 1950-53* (Ithaca, NY: Cornell University Press, 1985), pp. 114-5, 126-7.

¹⁸ Sherman Adams, *Firsthand Report: The Inside Story of the Eisenhower Administration* (London: Hutchinson, 1962), p. 55.

¹⁹ Seymour M. Hersh, *The Price of Power: Kissinger in the Nixon White House* (New York: Summit Books, 1983), p. 120; Scott C. Sagan, 'The Madman Nuclear Alert: Secrecy, Signaling, and Safety in October 1969' *International Security*, 27:4 (Spring 2003), pp. 150-83.

Recently, US administrations have contemplated nuclear use in response to chemical and biological attacks. The George H. W. Bush administration in 1991 considered nuclear use against Iraq under its 'policy of ambiguity'. Although the plans for nuclear use were developed by defense officials under the orders of Secretary of Defense Dick Cheney, they were eventually shelved following the insistence of the Chairman of the Joint Chiefs of Staff, General Colin Powell.²⁰ However, if the taboo idea is so well-entrenched, why would the George W. Bush administration in 2003 have included nuclear attack as part of its war plans against Iraq even if Baghdad used less powerful weapons of mass destruction such as chemical and biological arms? The *Theater Nuclear Planning Document*, prepared by the US Strategic Command, listed several potential targets for a nuclear strike. Prior to the war, Omaha-based STRATCOM was given the authority to incorporate Third World targets, including Iraq's.²¹ The Bush administration's serious challenge to a taboo-like idea is the inclusion of nuclear attack under its pre-emptive and preventive strategy, enunciated in 2002.²² If there exists a strong taboo against nuclear use, such a rational and deliberate policy change wouldn't have taken place. Thus Bush built into US strategic planning the possibility of nuclear use in the crises that it expected to face in the course of the 'War on Terror'.

Other nuclear powers have also shown a penchant to use or threaten to use nuclear weapons during crises. The Israelis, in 1973, rolled out nuclear weapons as their military was facing defeat from the Egyptian and Syrian combined forces. The Minister of Defense, Moshe Dayan, requested nuclear use but was stymied largely by the insistence of Prime Minister Golda Meir.²³ Some believe that Israel used the threat of nuclear escalation in order to compel President Nixon to order an airlift of arms and ammunition to replenish the dwindling Israeli conventional arsenal.²⁴ The nuclear threat was again a consideration in 1991 during the Iraqi attacks on Israel. The British also brought nuclear weapons to the Falklands in 1982. Despite denial of any intent to use them, it is very difficult to see why the British Navy would bring such weapons to this theatre.²⁵ It was not unfathomable that Prime Minister Thatcher was playing the nuclear card as a hedge against the war with Argentina turning sour.

A fundamental challenge to the taboo argument can be located in the new nuclear doctrines of the US, Britain, France and Russia. They all call for expanded use of nuclear weapons against regional states acquiring weapons of mass destruction and now allow for nuclear use in a preventive and pre-emptive mode. Even though deterrence may be the motive, the intent to use is inherent in any threat to

²⁰ William M. Arkin, 'Calculated Ambiguity: Nuclear Weapons and the Gulf War', *The Washington Quarterly*, 19:4 (1996), p. 4.

²¹ William M. Arkin, 'The Nuclear Option in Iraq', *Los Angeles Times* (26 January 2003), p. M1.

²² James J. Wirtz and James A. Russell, 'US Policy on Preventive War and Preemption', *The Nonproliferation Review*, 10:1 (Spring 2003), pp. 113–23.

²³ Avner Cohen, 'The Last Nuclear Moment', *New York Times* (6 October 2003), p. A17.

²⁴ Michael Karpin, *The Bomb in the Basement: How Israel Went Nuclear and What that Means for the World* (New York: Simon & Schuster, 2006), p. 324.

²⁵ *The New Statesman*, 'Falklands: All Out War' (24 August 1984), pp. 8–9. For the official versions, see Lawrence Freedman, 'The Official History of the Falklands Campaign', *War and Diplomacy*, 2 (London: Routledge, 2005), pp. 58–9.

use as without it, no deterrent is effective. This form of policy reorientation would not have taken place if there were a stringent taboo against the use of nuclear weapons, especially against non-nuclear states, as argued by Tannenwald.

Third, the concept of tradition captures the likely response to a violation of the norm against nuclear use more effectively than the concept of taboo. There is widespread support for nuclear use in response to use of weapons of mass destruction, both in official doctrines and in public opinion. It is very unlikely that the violation of a clear social taboo by an opponent – for example, incest and cannibalism – would have elicited such a response, that is, responding by doing similar or much nastier things toward the breaker of the taboo. The violator would be viewed as a psychopath who needs to be put in jail or in a psychiatric ward. The rest of society distances itself from the perpetrator and his or her acts, rather than itself adopting those acts.

Although nuclear non-use is a tradition and not a strict taboo-like prohibition, it still can have a reasonably strong impact on the behaviour of states. It is not necessary to resort to the concept of taboo in order to get past a narrow Realist understanding of non-use as based on deterrence. The tradition has roots in reciprocity but goes beyond it. It gained normative power as a time-honoured practice, implying a modest level of normative prohibition. Accustomed obligations inherent in a tradition are not easy to break; but we can consider breaking them. Powerful social traditions are the basis for the maintenance of many social values even in the face of adverse circumstances. A tradition often has normative and practical content attached to it. Customary international law is very much premised on customs and traditions followed through generations. Michael Byers suggests that customary international law has its origins in applications of non-legal, traditional forms of state power, but regularises it to prevent the damage that would attend on arbitrary uses of power. In that sense, custom is a kind of conveyor belt from past practice to present rules.²⁶ This concept thus allows for both continual evolution and incremental change in rules and their ongoing compelling power. While states have not formalised nuclear non-use in law, they have apparently adopted it in informal custom in a similar manner.

Fourth, the concept of taboo is resolutely inter-subjective and social, with states responding only to other states' practices, and not to changing material circumstances. It therefore does not adequately account for the basis of the norm of non-use in the physical reality of nuclear weapons. The tradition of non-use emerged because of a realisation among political elite in nuclear states of the horrendous effects of nuclear attack (a material fact). What changed was not interpretation; what changed was available evidence. The nuclear bombings of Hiroshima and Nagasaki were the initial pivotal events, but it took the hydrogen bomb tests in the 1950s for the world community to focus more clearly on the dangers of nuclear weapons and their use. The tradition was thus developing along with mutual deterrence between the two superpowers, premised on mutual assured destruction. Over a period of time, the tradition of non-use generated reputation costs for a potential user. More specifically, nuclear weapons use against a non-nuclear adversary would have done enormous damage to the reputation of the

²⁶ Michael Byers, *Custom, Power, and the Power of Rules: International Relations and Customary International Law* (Cambridge: Cambridge University Press, 1999).

user (both the country and its leaders) in the eyes of the world. These reputation costs generated self-deterrence which has helped to reinforce the tradition (a feedback effect) which is partially restraining nuclear states from using their weapons for anything other than existential deterrence.

The maintenance of the weapons' physical character is thus important for the sustenance of the tradition. The statement by President Lyndon Johnson in 1964 illustrated the power of the tradition with its roots in the fact of nuclear destructiveness. In one of his campaign speeches, at Detroit in September 1964, he portrayed 'nuclear war as a great catastrophe, with hundreds of millions dead, cities destroyed, fields in ruin, and industry demolished [. . .] Make no mistake', he said, 'there is no such thing as a conventional nuclear weapon. For 19 peril-filled years no nation has loosed the atom against another. To do so now is a political decision of the highest order. And it would lead us down an uncertain path of blows and counterblows whose outcome none may know. No President of the US of America can divest himself of the responsibility for such a decision.'²⁷

Another example of the material roots of the tradition is the rejection of the neutron bomb by the Carter Administration after much criticism because of the fear that the new weapon, which carried many attributes of the nuclear bomb, would make nuclear use easier. During the 1990s much of the debate on the development of mini-nukes revolved around the idea that the weapons, once developed, could end up breaking the tradition. Proponents argued that the weapon would not cause as enormous a material impact, and that it might be necessary to take out deeply buried WMD facilities in so-called 'rogue states'. Opponents feared that the weapon would lead to unnecessary temptations on the part of the US President to use nuclear weapons even when conventional weapons could accomplish the task. These examples show that the concept of 'tradition' captures non-use better than the notion of taboo. Presidents Johnson and Carter seem to be more concerned about the breaking of a long-held tradition than a stringent taboo in their prognosis.

Finally, the tradition concept captures the evolutionary nature of the norm of non-use better than the taboo approach. A taboo-like prohibition, on the other hand, implies a less dynamic approach. An absolute, unthinking, and taken-for-granted norm cannot offer much room to incorporate changing circumstances, as taboos rarely change. Tannenwald's approach offers little by way of change. Using the less stringent conception of tradition would allow the induction of change in the evolution of the non-use norm. Though traditions gain their force from repeated practice, there is also a sense in which they are more open to challenge and mutation than taboos. This concept also allows for change due to material or political/strategic circumstances and not simply ideational factors. Further, unlike Tannenwald, who believes that '[t]he nuclear taboo, by delegitimizing a particular weapons technology, has decreased the likelihood that nuclear weapons will be used',²⁸ I believe this delegitimation is contingent on changing circumstances. Thus I do not see a linear, but a curvilinear progression in this regard. A tradition approach captures this progression and possibly changes in conceptions of nuclear use better than a taboo approach.

²⁷ Quoted in Bundy, *Danger and Survival*, p. 537.

²⁸ Tannenwald, *The Nuclear Taboo*, p. 4.

The concepts of iteration and reciprocity also help to explain how the tradition of non-use might change. Social expectations are such that subsequent generations observe these standards as it is expected of them to do so. There is indeed a sense of reciprocity in the tradition, such that actors expect others to follow the norms or standards of behaviour inherent in traditions. Indeed, one of the greatest fears of those who argue in favour of concrete political steps to maintain the tradition is that if one nuclear state breaks it, the others may believe that it is now acceptable to follow suit as the former contravened the reciprocal understanding of the tradition's observation. In other words, setting bad precedents have adverse consequences for a tradition of this nature to flourish. While Tannenwald also recognises the possibility of breaking the taboo, the thrust of her argument is in terms of its robustness and inherent strength.

Apart from the debate about whether the norm of non-use constitutes a tradition or a taboo, Tannenwald and other scholars who share her views give considerable importance to the democratic political culture of the US in helping to develop this taboo.²⁹ The argument is based on the US' position as the first to develop and use nuclear weapons, giving it several opportunities to use them against non-nuclear states that it did not take; this means that US nuclear history offers good source material for establishing the emergence of a taboo-like prohibition against nuclear use. Although evidence from non-democratic Russia and China is limited, it seems they played a significant role in the emergence of the tradition. Both proclaimed a policy of no first use early on, which the US and other democratic nuclear powers (the UK and France) refused to offer.³⁰ Indeed, today, it is non-democratic China which alone offers a no-first-use principle, while all others have reduced their limited negative security assurances. During the Cold War and beyond, democratic nuclear powers have also been more prone to make loose nuclear threats against non-democratic opponents. The US, Israeli, and British warnings against Iraq during and before the two Gulf Wars attest to this contention. Indeed democratic cultures appear to be prone to using unlimited force against non-democracies.³¹ Democracies seem to be susceptible to making such threats and tend to justify doing so on moral grounds. It is thus a major issue of contention whether democracies practice the normative restrictions on the use of force *vis-à-vis* one another when it comes to nuclear use against non-democracies.³² It would not be surprising if a democratic country, such as the US, Israel or India, becomes the first one to break the non-use tradition. In the face of transnational

²⁹ For instance, see Tannenwald, *Nuclear Taboo*, pp. 22–3; 'The Nuclear Taboo'; Price and Tannenwald, 'Norms and Deterrence'.

³⁰ For more details see Paul, *Tradition of Non-Use*, chap. 5.

³¹ A study by Alexander Downes convincingly shows that democracies are historically proven to target civilian populations in desperate military circumstances. He argues that 'leaders in democracies pay little if any price for inflicting large-scale harm on civilians in a costly or protracted war. The public is far more likely to turn against a war if they believe it is unwinnable than because it kills significant numbers of non-combatants'. Alexander B. Downes, *Targeting Civilians in War* (Ithaca: Cornell University Press, 2008), p. 248.

³² Democracies can engage in high intensity wars with non-democracies, as they tend to consider those states 'unreasonable' and 'potentially dangerous'. John M. Owen, 'How Liberalism Produces Democratic Peace', *International Security*, 19 (Autumn 1994), pp. 87–125; see also Christian Reus-Smit, 'Liberal Hierarchy and the License to Use Force', *Review of International Studies*, 31, suppl. S1 (December 2005), pp. 71–92.

terrorist efforts to acquire weapons of mass destruction, today loose nuclear threats are coming from democratic countries more frequently than from non-democratic nuclear powers.

Conclusion

In sum, non-use is not a full-fledged taboo, but a more limited tradition which has an informal norm inherent in it. However, a conversion of this informal norm into a legal norm may be essential for strengthening the tradition of non-use. The consideration in nuclear doctrines of possible nuclear use against non-nuclear states is bad for the tradition. The development of new mini-nukes can negatively affect the tradition as it would reduce the absolute character of nuclear arms, blurring the line between nuclear and conventional weaponry. The tradition serves the many cherished goals of international community, and there is little value in undermining it. In that sense the intellectual works on taboo as well as tradition have great public policy significance. Relying on a taboo-like approach can generate unnecessary complacency in the international community on the possibility of nuclear use in the future. It gives confidence of a robust prohibition, instead of a fragile tradition which may be broken more plausibly than a taboo would be. Hence conscious human action, in the form of legal and other concrete policy steps, is necessary to convert the limited tradition to a more formal and internationally accepted norm.