

## ***The Least Abhorrent Choice?***

### ***A moral defense of the use of 'the gadgets' to end the Pacific War***

*“As I read over what I have written I am aware that much of it, in this year of peace, may have a harsh and unfeeling sound. It would perhaps be possible to say the same things and say them more gently. But I do not think it would be wise. As I look back over the five years of my service as Secretary of War, I see too many stern and heartrending decision to be willing to pretend that war is anything else than what it is. The face of war is the face of death; death is an inevitable part of every order that a wartime leader gives. The decision to use the atomic bomb was a decision that brought death to over a hundred thousand Japanese. No explanation can change that fact and I do not wish to gloss over it. But this deliberate, premeditated destruction was our least abhorrent choice. The destruction of Hiroshima and Nagasaki put an end to the Japanese war. It stopped the fire raids, and the strangling blockade; it ended the ghastly specter of a clash of great land armies.”*

Henry Stimson - 1947

#### Introduction

75 years separate us from the end of the Second World War. In May of 1945, Russians took Berlin, Hitler killed himself and Germany finally capitulated. Two months later, as U.S. and allied forces grimly prepared for invasion of the home islands of the Japanese Empire, a new bomb was tested, and within weeks used twice. Much to the surprise and relief of service members slated to be among the millions that would take part in the invasion<sup>1</sup>, and the equally strong relief of leaders who had the moral burden of ordering them into action, Japan surrendered unconditionally. In the years that have passed, among the moral debates concerning that war, much if not all focus has been placed on the decision to use the “gadgets,” the atomic weapons. This essay is a moral defense of that use, utilizing contemporaneous data and projections, as well as moral arguments based, to a degree, upon the concept of supreme emergency. It also asks us to take seriously the nature of Imperial Japan. It addresses ethical and historical objections as to the viability of non-nuclear options, some of these coming from classical philosophical/ethical perspectives.

---

<sup>1</sup> See Paul Fussell’s classic reflection of the infantry officer’s or GI’s perspective on the quick end to the war: “Thank God for the Atom Bomb” The New Republic - August 1981  
<http://www.uio.no/studier/emner/hf/iakh/HIS1300MET/v12/undervisningsmateriale/Fussell%20-%20thank%20god%20for%20the%20atom%20bomb.pdf>

The flow of the essay is roughly as follows: It first addresses the question of whether development of atomic weapons was morally defensible at the time. After addressing that question and answering in the affirmative, it moves on to the question of use. By examining some counterfactual scenarios, involving Nazi Germany, it argues that there are permissible uses of atomic weaponry in 'dire' circumstances, that is, situations identical to, or in certain morally relevant respect, sufficiently similar to 'supreme emergencies.'<sup>2</sup> That section argues that use against Nazi Germany would have been justified in three particular scenarios, two of which are sufficiently similar to the state of affairs in the Pacific toward the end of the war.

The next section makes that case more explicitly concerning Japan, with reference to similar dire circumstances or emergencies brought on by the two Axis states. It presents a primarily Utilitarian defense of the use of the atomic bombs for mixed-purpose (military objectives and shock). It undertakes this defense by examining the alternatives, and arguing that each is more morally untenable than the course actually taken. The mixed-purpose atomic option was, as Stimson aptly described it, the 'least abhorrent choice.' The last sections address a miscellany of objections from some classical philosophical/ethical perspectives, including Natural Law Theory, Kantian, and Aristotelian virtue ethics, and concludes that these outlooks present a mixed bag when it comes to moral justification of the bombings.

### The Case

The basic questions: Was the U.S. choice to develop and incorporate the use of atomic weapons a morally defensible choice? Was it defensible to use them for mixed-purpose? The questions will be broken down into several component questions. The questions fall into two groups clustered around firstly, development and secondly, incorporation/use of the atomic bombs.

#### Question concerning Development

---

<sup>2</sup> The term, introduced by Walzer, in his seminal *Just and Unjust Wars*, (1977) Basic Books, has become a term of art in ethics. Part of the essay's discussion involves an analysis of the conception.

*Question 1: Was the choice to research and develop atomic weaponry morally justified?*

Answer: It is crucial to consider the context. European physicists (Fermi, Szilard, Einstein, and others) familiar with research into fission, as well as the status of German efforts toward creation of atomic weapons, warned the U.S. of Hitler's interest and work toward that end. He was securing sources of uranium, conducting heavy water experiments and had many prominent German physicists, including Heisenberg, leading up efforts.<sup>3</sup> The German military was innovative, quite open to advances in tactical and technological aspects of war fighting. Germany had evidenced a level of perfidy and industrialized barbarism that hardly needs review. Its global ambitions were apparent. *Mein Kampf* gave a clear blueprint of Hitler's goals. He had the means to achieve a great deal, even if not the entirety of his goals, and could expand the reach of threat to most of the globe. Given these facts, if Germany were to have developed ordnance orders of magnitude greater than any extant weaponry, and had the ability to deliver it, either by bombers or missiles, it would have done so. Given this fact, it would have been irresponsible of allied nations to refrain from taking steps to block the development or defend against it. At the time, blocking was not a realistic option, while the only feasible form of defense was to develop the same capability first, and either threaten or use it.

Japanese nuclear efforts were not as well developed, but they had developed what were in essence, feasibility studies, and enrichment programs. They were quite familiar with the theory and practical difficulties in production of weapons grade uranium. The Japanese regime also evidenced a level of barbarism hard for civilized nations to comprehend, but one unfortunately, that does need review, as knowledge of this is not as common as the knowledge of Nazi barbarity. One must keep squarely in mind the Japanese record of atrocities as it rolled over China, Manchuria, Korea, Vietnam, the Philippines and other areas of Asia. Where Hitler caused the deaths of 6 million civilians over the course of the war, Japan caused from 5 million to 20 million, at a minimum. Torture, industrialized rape, medical experimentation including vivisection of human beings, biological warfare research and implementation, slave labor, sex slavery, mass killings, intentional starvation, the list of atrocities and the scale boggles the moral sense. At its root was a racist view similar to that of the Nazi regime. Imperial Japan was no "ordinary" state pursuing 'ordinary geopolitical goals' through warfare.<sup>4</sup> It was a

---

<sup>3</sup> For an excellent narrative of this history, see the first few chapters of *Pandora's Keepers: Nine Men and the Atomic Bomb* by Brian VanDeMark, Back Bay Books (2005)

<sup>4</sup> This is reference to the contention of Michael Walzer in *Just and Unjust Wars*, pages 267-68, that there was a substantial moral difference between Nazi Germany and Imperial Japan. For him, Japan was involved in a "more ordinary kind of military expansion," which did not morally require complete defeat. For him, the form of its

militarist/fascist state, and just as much a menace to civilization as Nazi Germany. We must also keep in mind the obvious point that these two states were allied. Even if Japan was not pursuing atomic research itself, its alliance with Germany could have resulted in its acquisition of nuclear weapons. If that were to have occurred, Japan would have used them. Indeed, when considering the possibility of atomic weapons, Japanese military leaders imagined an attack on the West Coast of the U.S. This is

---

domestic government was only of import for Japan itself. Evidence overwhelmingly suggests he is simply wrong about this. Walzer allows for the moral permissibility of Britain attacking German cities, inflicting civilian deaths, during the height of the Blitz, due to Britain's circumstance satisfying the conditions for 'supreme emergency,' the emergency being due both to the vile nature of Nazi Germany and its direct major attacks upon London and other cities. The prospects for England, given defeat, were sufficiently dire: German forces would treat Britain as it had Poland, or worse. At this same point in the discussion, Walzer argues that Stimson and others had no such dire circumstance in view when defending their decisions. He says they defended the use of atomic weapons by contrasting use of the weapons with the dire non-nuclear alternative actions *the Allies* themselves would have to take against Japan in order to force unconditional surrender (blockade, invasion and continued conventional/incendiary bombing raids). Indeed, the Stimson quote that opens this paper bears this out to some extent. However, note that his reference to the bombing putting an end to "the Japanese war" does indicate Stimson's awareness of the dire threat Japan posed to conquered Asia. Its placement *first* in the list of things prevented is telling. Nevertheless, Walzer argues his two conditions for supreme emergency were not met in the case of the U.S. There was no immediate risk to the U.S. proper and Imperial Japan was not a threat to civilization in any case. He argues the war aim (unconditional surrender) was not justified, given the 'ordinary' nature of Imperial Japan. This could not be more wrong. If the vile nature of Germany created a threat to civilization, and a moral imperative to remove that state from existence, so too did the vile nature of Imperial Japan. One can respond to this by taking the other horn, pointing out that a supreme emergency did not exist for the continental United States. Perhaps, but one must ask in response, where the million plus largely conscript Marines, sailors, soldiers and airmen came from who were either fighting in the Pacific, being used as slaves, tortured and starved to death in POW camps, or grimly preparing for invasion. Finally, the supreme and immediate emergency most certainly did exist for the millions of civilians in occupied Asia. For 14 years, there was massive exploitation, expropriation, barbarism and carnage, just as heinous as that undertaken by Nazi Germany. What is more, occupied Asia could not adequately defend itself. Was the U.S. to holster its might, negotiate surrender less than unconditional, and leave these vulnerable populations under the thumb or in the shadow of a less than humbled expansionist Japan? What would have been the result in Manchuria, China, the Philippines, Korea, Malaysia, Indonesia and other areas? Should the U.S. have offered compromise and negotiated settlement? That seems morally problematic, especially when one considers the scale of the inhumanity and the considerable time negotiations would undoubtedly have taken. Would similar lenient diplomatic courses have been morally acceptable in the German case in 1945? Should we have offered Hitler something less than unconditional surrender? Should he have been given the option of staying on as a mere figurehead? If not, then why not? What material moral difference is there between Imperial Japan and Nazi Germany in this regard? I believe none. The principals were quite well aware of Imperial Japan's nature, just as much as they were aware of Nazi Germany's nature, Stimson in particular, who was Secretary of state in 1931 as Japan invaded Manchuria. This awareness is in fact the best explanation for the insistence on unconditional surrender. A final point: if one objects that Japan was near defeat, and no longer posed an existential threat to civilization, thus obviating the need to take atomic measures, one is also saying that one is morally comfortable with the President deciding not to use all means available to shorten the war as they came available. This would have extended war and all its terrible consequences for at least the balance of 1945, not only in Japan, but also in Asia. Around 5 million Japanese troops were spread across Asia with many commanders willing to fight to the end. In any case, this paper expands on this note.

important to keep in mind as we answer this question concerning research and development, and equally important when we come to consider implementation, during the later stages of the Pacific war.

For now, we can see that two barbarous and powerful nations, with which the Allied nations were in mortal combat, were capable of the research and technology necessary to build, share and use atomic bombs. The leaders of the two Western allied nations were aware of that capability. The allied commanders in chief had a moral responsibility to protect their homelands and largely conscript combatant forces. This required that they make defensive efforts against possible future innovations in nuclear threat emanating from those hostile states. The only feasible defense against nuclear weaponry available at the time was the capability to deliver similar blows. Therefore, the U.S. and Britain were morally justified, and indeed obligated, given the situation and the nature of the states in question, to make the efforts they in fact initiated in 1939. We now move to the part of the essay dealing with questions regarding morally permissibility of use:

#### Questions Concerning Use of Atomic Weapons

*Question #2: Is it ever permissible to use atomic weapons?*

This question harbors a certain ambiguity that colors discussion of nuclear arsenals as they have subsequently grown in power and size. Large thermonuclear devices are of such power as to be massively indiscriminate. Most developers argued that this rendered them morally illicit as first strike, strategic or tactical weapons, but rendered them effective deterrents. Some even argued that it would be wrong to use them in retaliation, if a nation had first been struck by similar weapons, due to the massive indiscriminate carnage this would produce. This tended to be a minority view, but was argued.<sup>5</sup>

Contrast this with the relatively small yield of the two “gadgets” or smaller tactical devices; many megatons of TNT as compared to five to twenty-thousand ton yields. The casualty and damage level of Little Boy and Fat Man were comparable to that created by single nights of conventional bombings such as the incendiary raid on Tokyo in March 1945.<sup>6</sup> From the vantage point of General Marshal, at least, the smaller yield weapons were distinct possibilities for tactical use. As his misgiving grew about

---

<sup>5</sup> Again, see *Pandora's Keepers* for interesting narratives of these debates amongst the physicists responsible for the Manhattan Project and thermonuclear devices.

<sup>6</sup> Richard B. Frank's *Downfall* provides a harrowing account of these incendiary raids in its opening chapter. *Downfall: The End of the Imperial Japanese Empire*. New York: (Random House, 1999).

Olympic, he asked General Groves about the prospects of using nuclear weapons that were in the pipeline as components of the bombardment that would precede the invasion of Kyushu. He would have used them in efforts to clear beach defenses, and was seriously contemplating moving troops through bombed areas very soon after the attacks. This is striking evidence of the naivety that existed with regard to the radioactive hazard.

But, the important takeaway here is this: Given the right circumstances, and the smaller scope of effect, one can envision scenarios for utilization of smaller nuclear devices that would have a better chance of passing moral muster. A simplistic example: An invasion force lands in San Francisco, attempts a beachhead. The area has been evacuated. Only enemy combatants are there. Do you drop a smaller yield bomb knowing that it would remove the threat? The choice is defensible, if no other options exist.

Again, contrast this with another simplistic (and bad) use. Consider the same scenario, but using the B-83 weapon, at 1.2 megatons (the largest yield in the present U.S. arsenal). Just to put a fine point on it, assume the USSR's truly monstrous 50 MT Tsar Bomb. Would this be an immoral use? Probably so, given that the scope of the weapon's effects would be much larger, and involve much high numbers of non-combatant casualties. It fails discrimination and proportionality tests. This brings us to the next question:

*Question #3: Is it permissible to use atomic weapons with foreknowledge of collateral damage?*

(To be clear, the presupposition of this question is that there is foreseen but not directly intended collateral damage. Consider this a sort of way station on the road to the argument considering permissibility of mixed-purpose use, that is; intending or expecting that collateral damage would induce shock and surrender.)

There are two possible answers, one of which is more plausible. Answer number one, the less plausible option, is that such use is never permissible due to something uniquely detrimental about nuclear weapons. However, if you agree that scenarios involving tactical small yield weapons are foreseeable and defensible, then, you do not take this position. Blast effects are common to all bombs. So, if there is something uniquely sanctioning about nuclear devices, it must be the scale of these effects and/or the radiation produced. Analogically, biological weapons are generally forbidden because of their horrendous, indiscriminate and potentially widespread effects. The analogy breaks down however, for the radiation produced by nuclear devices is localized, dissipates, and in smaller yield weapons, areas become habitable after a relatively short period. What is more, the radiation is not transmitted from

person to person, or across large swathes of land as people move. The blast effects for the smaller weapons is within the scale of conventional bombings, even if it does happen within shorter time periods (minutes instead of hours or days), as the Tokyo raids demonstrated. Given all this, it is difficult to make a case that they should, under no circumstances, ever be used.

In the second invasion scenario described above, utilizing megaton yield devices, even if the radiation does dissipate, we can easily imagine the blast and radiation effects from fallout would cause a much higher number of non-combatant casualties, assuming evacuees are in the vicinity. Fallout would expand the reach of the radiation for hundreds, perhaps thousands of miles, as the plume spreads. This would be out of proportion to the military end, where the reduced effects of the smaller tactical weapons would not be.

This leads us to take the second and more plausible answer to our question: Use of smaller yield nuclear weapons is sufficiently similar to use of conventional weapons as to make the restrictions upon usage similar to those that exist for conventional warheads, even if more limiting. Given the aiming and targeting technology available, these can be used as long as sufficient efforts are made to be precise and limit non-combatant casualties to the lowest level commensurate with the military goal (be it tactical or strategic). There is nothing new in this approach to utilization of weapons. The allied powers thought like this during most of the war. We still think like this with conventional air power, drone strikes, and conventional missile technology, but due to advancement in technology, and history (including WWII) we now tend to place much greater discrimination and proportionality restrictions on allowable collateral damage.

#### An Aside

Before we move on to our next question, we have to reinforce that much of the attraction of the atomic option was that it offered a plausible psychological mechanism by which to decisively end Japan's war effort, in the opinions of those most familiar with it (the physicists leading up the effort, General Groves and Secretary Stimson). Additionally, the trend of the War had been toward using conventional bombing raids for this mixed *Douhetian* purpose. Axis powers had done it first.<sup>7</sup> Others were more doubtful of the shock effect, or doubted whether the devices would function (Leahy for instance). The considered opinion, one held by Stimson, Roosevelt, and Truman, reflected the novelty of the weapons as an

---

<sup>7</sup> Japan, in particular had bombed Shanghai as early as 1932, killing tens of thousands.

addition, not an alternative, to other elements of the quiver. We, with the benefit of hindsight, tend to distort their point of view when discussing the atomic option. It is misleading to think of the atomic option in terms of exclusive disjunction. For Truman, the decision on implementation was not so much an either/or proposition between using the gadgets OR invading/blockading/continuing with conventional air war. Rather, he and his advisors thought, pragmatically. The war was so costly as to morally demand that as many means as possible be used toward ending the war as quickly and humanely as possible. Given the grave prospects for invasion or blockade, they believed all available means to force surrender should be placed 'online' as they became available. There was no certain foresight that the bombs would function let alone work some sort of psychological magic, ending things quickly, obviating need for invasion. There was a plausible hope this would occur, born of the projections of Groves Oppenheimer and a few others as they contemplated the dramatic power of nuclear fission. However, this was no certainty. In this connection, it is interesting to note the highs and lows in Truman's own words from Trinity to Aug. 14. While in Potsdam he had high hopes when he received word of the Trinity test, yet on the very day of Japanese surrender, voiced to a representative from Britain, his resignation to the necessity of having to bomb Tokyo with a third device. It seemed the shock had never materialized. At that point, eight agonizing days had passed since Hiroshima. August 10, the day after Nagasaki, had produced a surrender offer, but one that smacked of conditional surrender. The allied response of the 11<sup>th</sup>, a reiteration of the unconditional demands, did not receive an immediate positive response.

All of the principals fully expected to invade, even after Hiroshima and Nagasaki. Marshall seriously considered the above-mentioned plans to use atomic bombs tactically after August 9. He had asked Groves about the possibility in late July. The decision, made well before Truman took office, was to *incorporate* atomic weapons into the larger effort, as one means among several. The big question, of course, was their viability. Truman did not change the tack, established by Roosevelt. The 'gadgets' were conceived by all (except Stimson) not so much as a vastly different and new technology destined to change international relations, but rather more as being really big bombs of a more or less conventional nature, that may have the additional exploitable of shock potential. This is important to keep in mind. They never clearly envisioned the gadgets as being something in the stead of conventional warfare, but as components of such warfare. Yet, as events unfolded, it was precisely this possibility that was the driving factor in the Emperor's decision to surrender. He and the peace party (Togo, Kido, Yonai and Suzuki (sometimes)), after hearing reports of the results of the bombings, concluded that the bombs

were of such power as to render a land invasion unnecessary.<sup>8</sup> That knocked out a fundamental assumption of Ketsu Go. The emperor had bought the plausibility of Anami's plan to offer negotiated settlement only after a painful blow to the invaders on Kyushu. He changed his mind. He now envisioned months of extended strategic atomic bombing, which would probably include Tokyo, as something the allies would continue, without need of invasion. There would be no dealing of painful blows to the allies.

So, getting back to the main thread: Given the contemporaneous view of the yield and shock potential for atomic weapons, we have to ask whether the use of the weapons against Japan in August of 1945 is morally defensible. Arguments exist that maintain it was not, because Japan was defeated, and the end of the war was inevitable anyway. It is instructive to examine this position through a counterfactual lens, one that asks whether similar atomic attacks would have been justified in the case of Germany at several points in the war. I believe an examination of the Japanese question that begins here will eventuate in a judgment that the mixed-purpose use of the atomic bombs was morally justified. After considering the counterfactual German cases, we will move to Japan:

*Question #4: Would it have been permissible to use 'gadgets' against Germany, if the occasion had arisen? If so, when?*

We begin with this first of three counterfactual scenarios:

**Scenario 1, 1940-41:** It is the height of German expansion. Extermination camps are running. Britain is under siege. Germany has conquered much of Europe. Conventional attacks on military and industrial targets in Germany have yielded mediocre results. Bombing raids have been costly for allied bombers. The war looks like it not only will drag on for years, but the outcome is very much in doubt. Russia is abiding by its non-aggression pact with Germany, and in fact has been eager to split spoils. Roosevelt and Churchill learn that Office of Scientific Research and Development has produced enough material for two, possibly three bombs, with projected yields of between 5 and 20 thousand tons of TNT. In their shoes, do you order use? Modified bombers are available. Consider, as you answer, that you can use them against cities, Schweinfurt, Hamburg, Cologne, Dresden, or Berlin itself, all of which provide material of war. There will be civilian casualties due to the proximity of industrial installations to civilian

---

<sup>8</sup> For a good discussion of the Big Six reactions and debate, see Sadao Asada "The Shock of the Atomic Bomb and Japan's Decision to Surrender – A Reconsideration," in *Hiroshima in History, The Myths of Revisionism*, Ed. Robert James Maddox.

areas. Nevertheless, you can cause, in one bombing the sort of damage that waves of bombers create over greater periods of time, and at considerably greater risk. Szilard, Oppenheimer and others tell you that the potential for psychological impact, “shock” or loss of morale is high. That offers a tantalizing possibility of a quick end to the war. You are not sure how seriously to take the physicists, but you hear them out. You realize German air defenses are such that foreknowledge of the mission would allow the Germans a good chance of shooting down the bombers, even with escort. Therefore, you have to weigh whether or not to inform and warn Hitler’s government; give an ultimatum. The likelihood that he would negotiate is certainly negligible. What would you do?

If you were to give Hitler an ultimatum, he would no doubt ignore it. Not only that, but his behavior arguably forfeited his right to such forewarning. Most importantly, a warning would also tip the formidable German air defense forces of the oncoming attacks. It would be irresponsible to elevate risk for allied airmen. What is more, if defenders shot down the bombers, and the gadgets somehow survived, that would place in Hitler’s hand a terrible gift. If the gadgets failed, this would be a morale and propaganda boost. Warning would be foolish, and unprecedented.

Civilian non-combatant casualties in Germany would be a moral concern, of course. However, the nature of extant bombing precluded precision of any great degree. Moreover, deliberate bombing of cities was already happening, most pressingly, and obviously for allied leaders, against allied cities, such as London. Given this fact, the calculus would deem utilization of gadgets regrettable but justifiable. Potential for a near instantaneous series of knockout blows, with great enough psychological effect to end the war would be tantalizing. The industrialized carnage of the death camps would halt. Leaders would feel compelled to order the attack. Even if the physicists and Groves incorrect about the psychological impact upon Germany, the military effects would be indisputable. In short, given the circumstances and allied responsibilities, it would be morally permissible to use the gadgets in this scenario. One may object, though, that targeting non-combatants for shock effect is simply morally unacceptable in this or any circumstance. Is this true? Given the supreme emergency at this juncture of the war, perhaps not. How about later times? Consider the next two counterfactual scenarios, one located two to three years later in the war, another more plausibly with regard to the progress of the Manhattan project, at the end of the war, January to March/April of 1945:

**Scenario 2:** It is closer to the end of the war, December 16, 1944. The Ardennes offensive has just begun. Alarmed, you think the war is going to last much longer than you had thought just the day before. Manhattan presents the ‘gadgets’ as above. Do you use them?

This presents an interesting dilemma. You have two or three gadgets. You are not sure they will work. Do you risk using one to cut off the Bulge in Ardennes? What do you do with the others? Should you use them in Germany, against industrial/military targets, all of them actually mixed targets? A compelling case is there. This might be the best way to end hostilities quickly, when compared with continuation of the meat grinder of conventional means. (With hindsight, we see that conventional means had not induced Hitler to surrender. He waited to commit suicide until the enemy was literally in his neighborhood. That occurred nearly 6 months later. All that time, German depredations continued apace in occupied territories. The killers and crematoria worked at ever-greater speeds.)

Would it be ethically defensible to forgo use of the atomic option, in order to spare the German civilians that would be lost, if by choosing so, one were to consign to death an equal or greater number of civilians who would be victims of German predation? Why, one needs to ask, would we feel impelled to cede to them what would essentially be a more protected status than we would those others in Poland, France, the camps, etc.? What principled reason exists for doing so? There are two possible reasons: status as non-combatants gives German civilians absolute immunity, something we should respect, even if Nazis do not reciprocate. Secondly, atomic weapons are of such a nature that they precludes use. Considering the latter disjunct, we have already discussed this: In terms of casualties, use of the smaller yield atomic weapons is within the range of the effects of conventional bombing raids of the time. It might be that the radiation effects are so bad as to be prohibitive, even if numbers are similar. However, this is, by no means, obvious.

As to the first disjunct, it must be recalled that Germany did not give especial concern to civilians in England, Poland, France and other areas where strategic bombing was concerned, nor did they give them any sort of consideration when conducting mass killings in retribution for resistance activities, nor when they carried out their genocidal intentions. So, Allied nations refraining from use of the atomic means would consign to death thousands of others that would lose life in the resultant extended inhumane campaign. The inaction amounts to giving special immunity to German civilians, a special immunity not reciprocally extended by German forces. One has to ask if German civilians were any more deserving of immunity than their counterparts were. The answer is negative. Now, if a solid case that nuclear attacks would have significantly raised the probability of a hastened end to the war were arguable, then it would be plausible, on utilitarian grounds, to recommend it, if there was no other plausible route to that hastened end. Such a case is defensible, not only on utilitarian grounds, but based on the concept of supreme emergency.

Now, one may concede all this, but argue that this is a narrow and unique window, which in ethical terms, did not exist in later stages of the war<sup>9</sup> So, if the atomic bombs had been available sooner than July of 1945, but at later stages of the European war, one should not have used them. This reasoning is true in the case of the last week or so of the European war, but does not hold up even a few months or weeks before. The situation was sufficiently dire to allow use, even if it did not technically fit the concept of 'supreme emergency.' To make that case, consider this last scenario, placed in that timeframe:

**Scenario 3:** Closer to the end of the war, January through March/April of 1945. It is now beyond doubt that Germany cannot possibly recover and win. It is defeated, but shows no sign of surrender.

Germany's air defenses are a shell. The death factories run, now at a higher pace. Mass starvation is the rule in the camps. Russians have liberated Auschwitz, but camps in Germany allow starvation and continue their killing, upping the pace. This hastening began once Hitler recognized defeat. He wanted to complete his genocidal mission before Germany lost the ability to do so. So, given this situation, should you continue with conventional means of warfare or do you incorporate the newly acquired atomic weapons in the hope that the shock will hasten capitulation?

Again, this is an interesting case from the perspective of Walzer's conception of supreme emergency. Even if Britain was no longer under the Damoclean sword of existential threat, many thousands of civilians from formerly occupied countries, and many thousands of civilians in areas still occupied remained under existential threat. The vile regime still existed and retained the power to starve and murder on a mass scale, even if it could no longer pose a threat to political entities; states. Given this circumstance, it seems morally arbitrary to claim that an emergency did not exist because the political units of European civilization were not under threat any more. A substantial amount of the collective

---

<sup>9</sup> The window for Germany had in fact closed by the time of the Ardennes offensive, if one means by this that Germany had passed beyond the point of having a reasonable expectation of success. Germany was defeated even if it was not contemplating surrender. One can argue that it would be impermissible to use atomic weapons or, as Walzer maintains, strategic bombing of cities, in order to hasten the end of hostilities at the late stages, because the supreme emergency had ceased. Taking this position implies one accepts higher level of casualties and deaths that result from such reticence as morally preferable to the lower amount of casualties that would have resulted from the quicker end. For Walzer, the moral preferability of that choice is due to one fact. The higher-level casualty scenario does not include any casualties that were intentionally targeted German civilians. Even though the longer scenario does include higher numbers of French, Polish, Russian, etc. civilians intentionally targeted by Germany, the fact that Allies did not intentionally target non-combatant Germans allegedly makes that scenario morally better. This begs a rhetorical question: Is it of such import that the allies *not* intentionally target civilians that it is worth the *higher cost* in intentionally targeted civilian deaths caused by Axis powers? Why take this position? Lastly, one could deny the premise, and argue something very much like supreme emergency most decidedly did still exist for all these innocents under the Nazi heel.

citizenry most certainly was under dire threat. Yes, the situation may not have fit the bill for 'supreme emergency,' but it was still very dire. Large swaths of civilian population from occupied and formerly occupied territories were still subject to dying at an alarming rate. Just so long as there was a reasonable chance of halting the mass mortality, the atomic option looks morally permissible as long as the casualties caused would have been proportionate. Note: this atomic option would not have been morally acceptable the last few days of the war in Europe. Utilization would have had no significant impact on halting the deaths at that point, and the casualty balance would have been out of proportion to the lives saved. Still, given the dire situation that would have been in place even a few months earlier, it would have been defensible to deliver a shock via atomic bombing of a German city. Just so long as the number of lives saved would have outweighed those lost from the bomb, and no other plausible alternative would have been able to do the same job, as quickly without the casualties, this choice would pass moral muster.

A somewhat analogous hypothetical case shows the same thing.<sup>10</sup> Most people will say it is permissible to take action in the case, which amounts to targeting of non-combatants. The scenario has us imagine a German passenger liner of some sort transporting in its hold, unbeknownst to the civilian passengers, the components of a German atomic weapon. The liner is in German waters heading toward dock. An allied sub is there. Allied command knows about the liner. Should the sub torpedo the liner? As I said, most would answer 'yes.' Yet doing so is targeting a vessel carrying German civilian non-combatants. Why is it permissible? Clearly, it is due to the grave consequences of *not* targeting the liner. One might say that this analogy is not apropos because it passes the venerable doctrine of double effect, where our atomic shock scenarios do not. That is true. We will have more to say about that doctrine later in the paper. For now, we can say this:

There is a double effect here, dead civilians, and destroyed nuclear device. However, do we not have a deliberate and direct targeting of these civilians? It is arguable that we do. It is arguable that we do not. One could insist that we targeted the liner, not the passengers. On the other hand, one might say it is a fine bit of sophistry to attempt convincing yourself of this. Someone impatient with philosophical logic chopping about intentions might say something like: 'It simply won't do to say that we have in mind some image or conceptualization of the torpedo hitting the liner or bomb makings, this alleged psychological event counting as our intention to merely destroy said items.'

---

<sup>10</sup> This scenario is a variation on one from Jonathan Glover.

Perhaps. However, one can respond that the civilian deaths are a foreseen and unavoidable side effect of the intended effect. We have to admit disanalogy with the atomic cases we have been discussing, for all of them involve an intentional element of “shock,” which, of necessity, involves targeting the civilians. More on this, and more on the principle of double effect later in the paper. For now, we must pause, linger and make an admission:

Something else obvious and unsettling is going on when using atomic weapons for shock. We can describe it using Stimson’s own words. It is indeed abhorrent to target the innocent. We also know, going in, the much larger amount of lives salvageable by taking the action. We use the atomic bombs with serious hope that they will ‘shock,’ the enemy into early capitulation. Insofar as we aim at this, we are deliberately targeting, non-combatants to get that effect. We must admit this. The early capitulation would not occur without the shock effect, this in turn not being possible without the targeting of population. It is true that we are also targeting military installations, munitions factories, and in the case of several cities, networks of smaller feeder factories, themselves supplied by surrounding “cottage parts industries”. These networks weaved through at least 20% of civilian households<sup>11</sup>. All of this is true, but we have to admit, if ‘shock’ is part of our intent, that we are also targeting those civilians. They are *not* foreseen but unintended casualties.

But, to admit this is not to say that we should never in any circumstance undertake such acts. Some rare occasions permit it. Walzer believes the first of our three German scenarios (a supreme emergency for Britain or for European civilization) presents such a case. I believe all three of these German scenarios satisfy the conditions necessary. They present emergencies, dire circumstances that, even if not quite ‘supreme,’ are bad enough to compel action. Relevant to all these scenarios is a last resort question. Are there possibly less problematic solutions that deserve a try first?

---

<sup>11</sup> This was the case in Tokyo, found amongst the burned out ruins of residences were large numbers of drill presses, lathes and other sorts of machinery, used to machine parts that would be taken to the nearby factories for use in manufacturing material of war. See Richard B. Franks *Downfall*. It was also the case in Hiroshima and Nagasaki. In Nagasaki, the ‘cottage industry was in fact more widespread. Curtis LeMay wrote about this in his blunt memoirs: “We were going after military targets. No point in slaughtering civilians for the mere sake of slaughter. Of course, there is a pretty thin veneer in Japan, but the veneer was there. It was their system of dispersal of industry. All you had to do was visit one of those targets after we’d roasted it, and see the ruins of a multitude of houses, with a drill press sticking up through the wreckage of every home. The entire population got into the act and worked to make those airplanes or munitions of war . . . men, women, children. We knew we were going to kill a lot of women and kids when we burned [a] town. Had to be done.”

There is always the alternative of negotiated surrender. In these German counterfactual cases, this would be negotiation with Hitler. Should allies have been pursuing a negotiated end to the fighting in Europe as they were prosecuting the war? This would undoubtedly be very odd, but is it something that is morally advisable? Put yourself in the shoes of the policy makers as I have asked you to do. Is this a plausible project for a quick end to the war? A more morally pertinent question: Is it something we owed to the Germans?

In terms of plausibility, one need only examine Hitler's record with regard to agreements to see that he deserved no such trust or consideration. His perfidy cost millions of Russian lives on the Eastern front. His perfidy snuffed out millions of Polish citizens, and others. He regularly turned on those with whom he entered non-aggression agreements. This does not bode well for success.

What is more, to offer negotiated settlement would be to settle for rapprochement with a vile regime, giving it an air of legitimacy and a continued lease on life. This would allow Nazism to continue to exist. This would have carried with it uncomfortable compromise with respect to conquered territories and reparations. These compromises are never easy, and almost certainly unjust. The allies gave similar concessions to Stalinist Russia during and after the war. A requirement of unconditional surrender was in fact a morally proportionate response to the actions of the Nazi regime. Continued existence in any form was not appropriate. To tolerate Nazism in any form would have been an act of moral degradation of its victims, treating with indignity those millions butchered by the regime, both inside and outside of Germany. This moral fact holds even if we consider that a negotiated end state might have allowed Hitler or someone of his choice to remain in some capacity as was suggested for Hirohito, as merely some sort of a constitutional or figurehead "monarch," (or more precisely, "Führer.") The short pithy response, one suspects victims, Roosevelt, Truman or Churchill might have tendered to such a suggestion might have been "not only 'no.' but 'hell no.'" And that would have been exactly right.

Might we owe such an attempt at negotiation to the civilian population of Germany? Perhaps. The attempt would be exactly futile in any case, and would end up prolonging and extending not only their wartime suffering, but also that of the conquered nations. Furthermore, even if some did not completely understand his intentions, a very significant portion of the German populace did. They also enthusiastically welcomed Hitler's rise to power. A significant portion of the populace shared some level of culpability, might have forfeited some rights, even if not right to life. In any case, considering probabilities and competing allied obligations, the necessity of prosecuting the war was pressing. The closest one can reasonably come to arguing for negotiation during the war would be attempting secret

negotiations with resistance Germans in an effort to undermine the Nazi state and Hitler. It is obvious this would have been extremely protracted, difficult and time consuming, even impossible. Prospects would not have been good. The probability of success would be low, and wholesale carnage would continue for too long.

To summarize, I believe that in all three of these scenarios, it would have been at least morally permissible to use atomic weapons against Germany in a similar fashion as was used against Japan, even though this would necessarily entail significant German noncombatant casualties. This is justified due to the unique nature of the situation. I believe in each case the situation is quite dire, even if it is not an exact fit for the concept of supreme emergency. Because the situations are sufficiently dire, and no other reasonable means existed to hasten lifesaving capitulation, these are among those rare cases that allow intentional targeting of hostile-nation civilians.

It is with a fair amount of unease that I concede these arguments open the door for attempts at similar lines of moral justification by terrorist groups or barbarous states. I am also fully aware that this runs counter to lines of reasoning derived from several traditions in ethical philosophy. I will look at these objections later, after first extending and completing the present argument with regard to Imperial Japan.

To the former point, we can say this: Terrorist organizations and barbarous states are vile, morally illegitimate things, and as such, have no moral right to exist in the first place. They can place no obligation on others to respect their demands, nor their cases for such actions. Evidence of this is that they use targeting of non-combatants as measure of *first* resort, in circumstances that are decidedly *not* dire, *nor* supreme emergencies. In this particular aspect, they are much more similar to Imperial Japan and Nazi Germany, than they are the allied nations during WWII. Even if the propaganda spouted by Germany or Japan talked of supreme emergencies or dire threat from Poland, China or allied nations, they used this to mask and attempt to rationalize naked expansionist, imperialist aggression. From the beginning both Japan and Germany targeted non-combatants on a massive scale, killing, brutalizing or enslaving millions in lands they overran and conquered.

Tellingly, and in marked contrast, the allied strategic bombing campaigns, which targeted military installations or industrial concerns located within civilian population centers, occurred late in the war, and with serious misgivings, indicative of a general feeling amongst allied personnel and leaders that it was a necessary but regrettable and abhorrent method of last resort. If such entities as ISIS or Al Qaeda

attempt to justify their actions by pointing to Hiroshima, or strategic allied bombing, claiming no discernable moral difference between themselves and allied actions during that war, we do have a response. Their use of terror is a method of first resort and in service to an aggressive, expansionist, intolerant, inhumane order, or way of life. Our use of similar methods was action of last resort and in service to a generally humane inclusive and tolerant civilization or way of life, and only indulged under the deepest of duress, occasioned by the aggressive actions of vile states and the specter of prolonged bloodshed on a truly gigantic scale.

On the latter set of objections, those springing from seedbeds of ethical/philosophical theory, I can say for now, that they can be answered in this way: If considered judgment clashes with the deliverances of these theories, then so much the worse for the theories. It is at least possible that they are in error, or that the interpretations or applications are just incorrect, or, as is more likely, victim to the vagaries of complexity. What is more, considering these theories and their deliverances, when applied to complex cases, we should see them more as a set of disparate tools. They are useful, but not necessarily in accord, nor need we consider them, singularly or collectively, as determinative. One fully expects that some paradigms will conflict with others, and that there will be internal inconsistencies within single theoretical approaches. One must weigh the lot with considered judgment and the actual circumstances in mind. In general, when it comes to applied ethics, it is not surprising that some cases or circumstances will bring some ethical considerations to the fore as more weighty, while other cases or circumstances will bring other considerations to the fore with greater weight. In this particular circumstance, the closing stages of the Pacific war, a circumstance dire, I believe utilitarian considerations came to the fore. More will be said on this later when we discuss the ethical theories in more detail. Continuing with the main thread, this brings us to the main question:

*Question #5: Was it morally permissible to use atomic weapons against Japan in August of 1945? If not, when (if ever) would it have been permissible?*

The short version of the answer: Yes, it was morally permissible to use the gadgets at that stage of the war. There was something near enough to a state of supreme emergency, or, otherwise put, a situation sufficiently dire for the occupied areas, that action needed to take place to end the hostilities sooner rather than later. The situation was in fact very similar to that in scenarios 2 and 3 in the counterfactual discussion of Nazi Germany. In some ways, primarily due to systematic Japanese food confiscation in

occupied Asia, the situation was even direr than the European situation. What is more, due to systematic and large scale depredations in China, the Philippines, Indonesia, Manchuria, Malaysia and other areas earlier in the war, utilization of atomic weapons would have been as morally justified at those earlier stages of the Pacific War as it would have been at earlier stages of the European war (akin to German scenario #1). The situation was particularly acute when we consider China's vulnerability. If the Chinese had possessed nuclear weapons, they would have been well within rights to use them against Japan's cities.

In all morally relevant respects, Imperial Japan was just as untrustworthy and odious as Nazi Germany. It had fascistic views<sup>12</sup> and posed a similar, if not greater, existential threat to Asia as Germany did to Poland, France, Russia, and other parts of Europe. Its level of threat to the U.S. was comparable to that of Germany, and it had attacked non-combatant U.S. Naval forces instigating our entry into the conflict. For these reasons, it would have been at least as morally suspect to negotiate something less than unconditional surrender with Japan, as it would have been to negotiate the same with Nazi Germany. In following sections, we develop this case, and respond to objections. First, we need to be very clear about the nature of the Japanese state, and the strategic situation at the end of the war:

#### Imperial Japan's Record

All told, the carnage from Imperial Japan's wars of conquest from 1931 to 1945 took approximately 150 times more Asian lives than did the atomic bombs, or 75 times the toll from the atomic bombs and the strategic bombing campaign combined.<sup>13</sup> Japan conquered and occupied a greater amount of territory than Germany and Italy held at the height of their predation. Depending on which estimates you cite, Japan killed between 5 and 20 million civilians during its wars, Germany, and its local allies approximately 6 million. In occupied Asia, there was an ongoing equivalent of the European Holocaust in terms of lives lost, large-scale confiscation or destruction of property and systematic enslavement and killing of target classes.<sup>14</sup>

---

<sup>12</sup> A somewhat polemical book length presentation of the fascistic nature of Imperial Japan is Saburo Ienaga's *The Pacific War, 1931-1945*.

<sup>13</sup> The following several pages draw from the work of Werner Gruhl, *Imperial Japan's World War Two: 1931-1945*. See also his "It's Time to Acknowledge that Hiroshima Followed Imperial Japan's Decision to Launch a Terrible War on Its Neighbors" <http://historynewsnetwork.org/article/44729#sthash.VpYm1ixV.dpuf>

<sup>14</sup> A definitive account of one small part of this depredation is contained in Iris Chang's *The Rape of Nanking*.

When one takes into account not only deaths but also overall casualties, the scale is truly staggering. Japan invaded countries that held one third of the world's population at the time. Japanese aggression killed approximately 24 million combatant and non-combatant from allied countries. Not all victims died. There were approximately 100 million casualties in the following categories; wounded, raped, tortured, forced labor slaves, refugees, homeless, brutalized POWs and civilian internees, victims of gruesome medical experimentation. Most casualties were non-combatants. To give perspective, the total casualty count, 100 million, is only 39 million short of the total U.S. population in 1945, and nearly a third of our present population (approximately 320 million).

Imperial Japan's treatment of conquered territories was akin to that of Nazi Germany. Allied war crimes trials provided volumes and volumes of harrowing accounts<sup>15</sup>: From the beginning, Japanese forces routinely used torture, murder, rape and other inhumane cruelties as methods of control. In China, for instance, smuggled photographs show Japanese soldiers rounded up scores of Chinese, and herded them together to use for bayonet practice. In other areas, soldiers bundled fifty victims using wire, and then bayoneted. They worked slaves to death, and forced the task of cremation upon surviving peers. This treatment was common with POWs as well. POWs became forced labor for railroads, mining and industry. They endured death marches and arbitrary torture and killing, while being systematically starved to death. They too were moved around the empire in unmarked "hell ships," under incredibly crowded and hot conditions, allowed no food or water, only to be attacked by unsuspecting allied airmen.<sup>16</sup> The death rate for allied POWs in Japanese internment was 27%, German internment 2%.

Many thousands of others slaved for their masters, while they endured the numerous insecurities of a capricious occupation. On a regular basis, the Japanese rounded up and moved population to areas of the Empire for their own purposes. Occupying troops amused themselves, not only by bayonetting, but also killed, raped, burned, cut living babies from mothers. The monsters of the notorious biological warfare research unit 731, located in Harbin China, and other facilities spread throughout the conquered territories and Japan proper, indulged in biological warfare and related forms of research using human subjects drawn from the supposedly racially inferior conquered nations and POW

---

<sup>15</sup> A thorough review authored by someone intimately familiar with the trials is Lord Russel's *Knights of Bushido: A Short History of Japanese War Crimes*.

<sup>16</sup> A particularly gripping account of one of many such incidents, aboard three consecutive ships including a passenger ship *Oryoku Maru*, can be found on pages 204 to 215 in *Ghost Soldiers*, by Hampton Sides, Anchor Books, (2001). That this treatment of POWs was widespread and routine, see Daws *Prisoners of the Japanese*. As well, see:

<http://self.gutenberg.org/article/whebn0001069408/list%20of%20japanese%20hell%20ships>

populations. These studies, led by Dr. Shiro Ishii, involved intentional infections, exposure to cold, extremely high pressure, oxygen deprivation, and vivisection, including scooping brain matter out of living POWs skulls, dismemberment, intentional starvation, suffocation and drowning. This was routine and universal behavior on par with the evils of Dr. Mengele. Up to 500,000 deaths are attributable to the activities of this network.<sup>17</sup>

Chinese, and other occupied Asians totaled 87% of all deaths during the war. 12% were Japanese. Less than 1% were Western allies. Japan, densely populated and dependent upon imports, saw expropriation and empire as its only means to survival. A sense of racial superiority drove its actions. There was a toxic brew of state Shinto religion and Bushido doctrine. The Japanese army and navy code of conduct required that officers and those they commanded fight to the death, for the Emperor and nation, the Emperor being the living descendent of the Sun God Amaterasu, destined to rule over other nations. Any allied personnel that surrendered or did not fight to the death were simply contemptible, and treated harshly. Japan had never lost a war to another nation and had sometimes won against the odds. Because of this, the militarists believed in a sort of spiritual backing for their efforts that demanded a refusal to halt fighting. If carried to the extreme, refusal to surrender would overcome all allied advantages in technology or materiel. Divine forces would not allow Japan's defeat. The emperor either acquiesced in this philosophy or believed it himself. In either case, he explicitly ordered or approved the actions of his Army and Navy through the duration of the war. The educational system inculcated this point of view by a concerted educational and propaganda campaign that had its roots in the late 1800s.<sup>18</sup>

For most of the war, Japan suffered military losses, but few civilian casualties, as allied nations did not have the reach to attack the home islands in an ongoing fashion. Only as the vice closed, during 1944 and 1945 and allied forces took Saipan, Iwo Jima and Okinawa, allowing the U.S. to move its bombers within range, did the home island experience the sort of death and destruction it had long dealt in Asia. The cost in Japanese lives of the allied strategic bombing campaign of 1945 amounted to 2% of all Allied civilians killed by Imperial Japanese forces.

---

<sup>17</sup> Daniel Barenblatt. *A Plague Upon Humanity: the Secret Genocide of Axis Japan's Germ Warfare Operation*, HarperCollins, 2004.

<sup>18</sup> For an account of this effort at propaganda, and its roots in the Meiji era, see Saburo Ienaga, *The Pacific War, 1931-1945*.

Consider this way of describing Japan's Pacific war: In a territory about the size of the U.S., the population had, since 1931 lost on average 2 to 3 thousand souls to Japanese aggression *each day*. All the while, there was systematic expropriation of wealth, infrastructure, technology and, most critically, foodstuffs. Korea and the former Dutch East Indies, along with other areas faced acute food crises as the Japanese forced them to grow and turn over rice. Even as they attempted to make up for domestic shortfall by these means, the daily caloric intake of the Japanese themselves fell dangerously below subsistence levels in 1945. This was due to a combination of weather, along with effective allied blockade and bombing of the rail system.

By August 1945, each month the war continued would reap *between 224,00 and 400,000* Chinese and allied nation deaths. An estimated 100,000 to 200,000 Japanese lives would also be lost each month. For comparison, the two atomic bombs took a total of between 100 and 200 thousand lives. Allied plans for the final phase of war had it continuing well into 1946, with a two-staged invasion, the second stage slated for Honshu, and the Tokyo plain around March or April of that year. If, as maintained by the Strategic Bombing Survey Group, the Japanese would have surrendered even without the bombs or Soviet entry into the war, by November of 1945, that would entail 1.8 million lives lost in the interim between August and November 1.<sup>19</sup> That is a staggering net negative balance. If, as is probably more realistic, the fighting went into 1946, say to March, the loss would have been 4.8 million lives, another truly staggering number.

All of this establishes that Imperial Japan was as odious as Nazi Germany. It had to be completely and utterly defeated. This brings us to the strategic situation. Given this moral imperative, what options were there, and was any option that did not include use of the atomic bombs morally preferable to the least bad atomic option? Again, the argument here is primarily utilitarian in nature, simply because the staggering numbers demand it. After having made the argument, we will consider whether that primarily utilitarian presumption is morally sound, by examining and responding to objections that come from the perspectives of other prominent moral theories or paradigms.

### Negotiate Surrender

---

<sup>19</sup> For a good discussion of the shortcomings and internal contradictions of the Survey, see "Advocacy or Assessment? The United States Strategic Bombing Survey of Germany and Japan," Gian Peri Gentile, in *Hiroshima and History, the Myths of Revisionism*, Ed. Robert James Maddox, University of Missouri Press.

We can begin with the negotiated surrender option, also discussed in connection with the counterfactual German scenarios presented earlier. It bears repeating that the odious nature of the regime seems to be to preclude such engagement.<sup>20</sup> However, equally important here, if the goal is to save lives, is the plausibility of the option as a means to cut the war short. Would negotiations have ended hostilities quickly?

The so-called 'revisionist' historians argue that the U.S. could have ensured a quick capitulation if it had compromised on the demand for unconditional surrender. If we had relaxed our demand for unconditional surrender and had guaranteed the retention of Emperor Hirohito, as a figurehead, the war would have ended without the bombs. Some revisionists claim the Japanese were actively seeking such surrender, and that we deliberately downplayed or ignored this for purposes of intimidating Russia through "atomic diplomacy."<sup>21</sup>

The reality was that the Japanese leadership was deeply divided on any sort of negotiation, Anami, Umezu and Toyoda dead set against, while Suzuki, Togo and Yonai, along with Kido, the Lord Keeper of the Privy Seal were in favor. (Suzuki actually vacillated even to the very end, to the dismay of the others). Anami wanted a final battle on the home islands before he would consider any negotiations. He maintained, to the day of the surrender, that Japan not countenance any sort of negotiated surrender unless it met four conditions: The retention of the Emperor *and* his political system; no allied occupation; no allied war crimes tribunals; and self-disarmament by the Japanese. This, no doubt was because he truly believed in the Ketsu Go strategy. His desire to protect himself, the military and Hirohito in the post war world also motivated him.

Now, what is important to note here, is that even the so-called peace party did not favor an *unconditional* surrender as was demanded in the Potsdam Declaration, nor did they ever seriously consider offering such. No official voice of the government actively sought surrender on terms that only sought Hirohito's maintenance as a figurehead constitutional monarch. The closest approach came from Ambassador Sato as he went back and forth with Foreign minister Togo in his misbegotten attempt to

---

<sup>20</sup> It would have been morally perverse to negotiate a settlement with Nazi Germany. Why seriously consider such an option for the equally depraved Imperial Japan? Morally speaking, Hirohito was a war criminal. His retention is a testament to prudence and moral compromise. His rescript gave the best chance for an organized and rapid surrender of Japanese forces spread across all of Asia.

<sup>21</sup> The most famous, if not seminal, book relating this narrative is Gar Alperovitz's *Atomic Diplomacy, Hiroshima and Potsdam*, Vintage Press, 1966. The view has earlier root in P.M.S. Blackett's *Fear, War, and the Bomb: Military and Political Consequences of Atomic Energy*, 1948.

rope the Russians into mediating a negotiated surrender. It was apparent to U.S. intelligence from intercepted MAGIC (diplomatic) and ULTRA (military) communications that Japan was not seriously speaking or acting like it was considering surrendering on conditions approaching those demanded in the Potsdam Declaration. Late July, Sato, in Russia, cabled to Togo that the only realistic option to end the war quickly was to offer unconditional surrender. Togo balked in response, with a strong 'no.' Sato revised, saying he meant no conditions *except* retention of the Emperor and political system (*kokutai*). The response from Tokyo was the same clear and blunt NO. This was an unacceptable offer. Togo would not make it, and clearly considered this *kokutai* retaining option but a species of 'unconditional surrender.' "*..We are unable to consent to it under any circumstances whatsoever. Even if the war drags on and it becomes clear that it will take much more bloodshed, the whole country as one man will pit itself against the enemy in accordance with the Imperial Will so long as the enemy demands unconditional surrender...*" This puts the lie to the revisionist contention that the Japanese were desperate to end things by any fashion and that the allies could have accomplished surrender if they had offered the Japanese retention of the Emperor as a mere constitutional monarch or symbolic figurehead.<sup>22</sup>

To be clear, the possibility rejected by Togo as the official voice of the government was one that demanded a more robust condition than the supposed 'constitutional monarch' magic bullet. If the Big Six would reject this more substantive *kokutai preserving* alternative, then surely they would have rejected the 'Emperor Lite' proposal, which would have made Hirohito into an analog of George VI. Additionally, the allies, being quite well aware of the state of the debate due to MAGIC intercepts, knew the futility in attempting any sort of negotiated armistice. At the very least, it would take time, and absent a shock to convince leadership of the futility of Ketsu Go, would probably fail. Indeed, intercepts indicate the offers to negotiate were likely be taken as indicators of flagging allied resolve, and would have encouraged Anami's apocalyptic strategy. During that time, 150,000 to 200,000 lives a week would be lost. In short, it is more than likely that the negotiated surrender option would have cost considerably more lives than the atomic option.

We should not leave off this option without first considering whether a negotiated settlement along lines favored by Japan would have been the quickest way to preserve those lives. While it is no doubt true that a quick acquiescence to Anami's view would have ended allied operations, consider what this

---

<sup>22</sup> This exchange, dating from July 14 to July 22, 1945, and can be found in Michael Kort, *The Columbia Guide to Hiroshima and the Bomb*, Columbia University Press, 2007, Pp. 281-285.

would have meant: No occupation, retention of the imperial political system, war crimes trials (such as they would have been) held only by Japan, and self-disarmament. This would have greatly increased the likelihood of a resurgent Japan. The allies had seen something similar occur with Germany after the Versailles treaty. A myth grew up that allowed Hitler to manipulate an injured sense of national pride. Something similar would happen with Japan, or, as is more likely, an emboldened Japan would continue aggression. There would have been great resentment in the East and continued antagonistic relations with Russia, China and other Asian countries. The empire would have retained its Helot populations. More importantly, justice would not have been served, and the loss of combatant and civilian lives in the 'charnel house'<sup>23</sup> that was Asia and the Pacific would have been in vain, and would likely continue in any areas Japan retained. Finally, this would have been a most morally egregious surrender by the Allies when they were in a position to do otherwise! Not only would it likely not be the best option from an act utilitarian perspective, focusing on the immediate numbers, it would have set a dangerous precedent, something rule utilitarians would discourage. Aside from that, it would be morally perverse.

Finally, if a negotiated settlement along allied favored conditions were pursued sans 'atomic diplomacy'<sup>24</sup> it takes no great feat of projection to see that the fighting would have continued during the course of slow negotiations, and Russian military and diplomatic involvement would have eventually occurred, as it had been demobilizing in the West and moving east after VE day. No doubt, Stalin would plunder under the banner of reparations, even if he had not shouldered the lion's share of the burden, as he arguably did in the West. All the time negotiations dragged on, 100,000 to 250,000 lives per week would be lost in the struggle. This would have flipped enough calendar pages to bring the planned invasions, the next option we should consider. In any case, numbers do not pan out for negotiated solutions.

#### Invasion with blockade and other conventional means.

The blockade had been tightening a noose around the home islands, reducing food levels. This would have brought Japan to starvation levels, if continued into November. Assuming capitulation did not

---

<sup>23</sup> The term comes from Gavan Daws, *Prisoners of the Japanese*, 1996, page 363.

<sup>24</sup> Here I most decidedly do not mean what is usually meant by this phrase, but rather refer to a foregoing of the atomic bomb's potential to push the *Japanese* into diplomatic action!

occur and the planned invasion of Kyushu, operation Olympic, started on that November day, we have to keep in mind several things as we project the likely effects:

1. Fighting would still be going on in other areas of the Asian/Pacific theatre. One example: British forces planned to take on the Japanese in the interim. In early September, Operation Zipper would begin. Its goal was to recapture Singapore. The operation plans involved a landing on the scale of Normandy.

2. The situation on Kyushu was developing in a quite alarming direction for allied planners late July and August, and would have been extremely alarming by November. According to a June 18 estimate presented to President Truman, Marshall expected six combat divisions of Japanese defenders in southern Kyushu, and projected about 31,000 allied casualties in only the first thirty days of the operation.<sup>25</sup> By August, the number of Japanese combat divisions stood at around 13. More would undoubtedly pour in during the three-month run up to X-Day. Additionally, very large numbers of suicide aircraft and watercraft deployed, in preparation for an overwhelming attack on invasion forces. Operation Olympic and Coronet would have each been considerably larger than the Normandy invasion. ULTRA let planners know that the Japanese were preparing tunneled defenses comparable to those encountered on Iwo Jima and Okinawa. The Japanese intended to use this dug in defense, coupled with overwhelming suicide attacks. The goal was to shock the Americans into negotiated settlement.

By November, the ratio of attackers to defenders was likely to be nearer 1 to 1 and threatening to flip, with defenders outnumbering invaders. There would be civilian fighters. All of this entailed an even greater percentage of casualties in Kyushu than had occurred on Okinawa. The casualty percentages for U.S. forces at Okinawa stood at 35% of attacking forces. Leahy, taking this as a reasonable projection, thought that this entailed a casualty count of approximately 270,000, from the 767,700 total American forces committed to Olympic. In the meeting, he pointed out the percentage, and let the others do the math. We can take this further. If the proportionate amount of Japanese casualties are taken into account as well, (110,000 of the 130,000 combined combatant forces on Okinawa died, an astounding 84% toll) that would entail approximately 470,000 dead Japanese from the (low-end June 18 estimate) 560,000 defenders. If there were around a million defenders, this would render 840,000 dead defenders. At the rate of loss on Okinawa, American forces could expect approximately 40,000 dead on the six-division scenario. This number is at the low end of possible results. Overall casualty estimates

---

<sup>25</sup> The Hoover memoranda to President Truman and Secretary Stimson triggered this meeting. See Kort, Pp 186-187. This included Hoover's very high estimation of 500,000 to 1, 000,000 American lives lost.

ranged from 250,000 to 2 million allied, and similar ranges, with upper ends at 4 million for Japanese. Of these, it is reasonable to expect that several hundreds of thousands would have been civilians, as the invasion moved inland, after having chewed up southern Kyushu. By U.S. estimates, Okinawa was home for 300,000 civilians, of which 196,000 survived. If we were to apply this 65% loss rate to the total civilian population of southern Kyushu (2,400,000), losses would have numbered 1.56 million. Taking just half of that, we still have the astounding figure of 780,000. These would not be casualties, but deaths. It is important to keep in mind that the Japanese had guessed correctly that we intended to invade southern Kyushu, and had mobilized a great fraction of the civilian population. They drafted all males aged 15 to 60 and all females 17 to 40, except for those physically unable to perform. These civilian combatants trained with hand grenades, swords, staves, farm implements fire hooks, and bamboo spears. These units attached to army regular forces as guerilla units intended to operate mainly at night, forming patrols armed with light weapons and tank demolitions material. In addition, the Japanese did not plan for evacuation of civilians, nor did they intend to abandon any cities, removing defenses, and declaring that fact to allied forces (so called "open city" declarations). They fully intended a tenacious fight to the finish using the citizenry.<sup>26</sup>

In light of Ultra intercepts outlining all of this, things became so alarming that King, Nimitz and Marshall balked at the invasion prospects just as the Japanese leadership decided to surrender. As early as May, Nimitz was going to back out of it altogether, while Marshall wanted to change invasion from Kyushu to locations north, forgoing Olympic, and undertaking the even more massive Coronet invasion after a delay. This would make air support difficult, as Okinawan air bases were too far off. If not for the surrender, a major inter-service conflict would have ensued, and Truman would have had to deal with it. He could have gone forward with Olympic or Coronet, perhaps with tactical use of atomic warheads. In any case, we see that the range of casualty projections significantly outstripped the civilian and combatant losses from Hiroshima and Nagasaki. It is not outside the realm of plausibility that such operations would bring casualty rates orders of magnitude greater than that caused by the conventional

---

<sup>26</sup> For an excellent and succinct summary of the *Ketsu Go* plans, as well as allied invasion plans, and the controversy over casualty estimates see *Marine Amphibious Corps Planning for Operation Olympic and the Role of Intelligence*, Major Mark P. Arens, USMCR [MCIA], as well as "Intelligence Forecasting for the Invasion of Japan: Preview of Hell, Edward J. Drea, in *Hiroshima in History: The Myths of Revisionism*, University of Missouri Press, (2007). The discussion here of the civilian guerilla forces derives from Arens. Another excellent and thorough strategic and tactical level review comes from D.M Giangreco's *Hell to Pay: Operation Downfall and the Invasion of Japan, 1945 to 1947*.

strategic bombing campaign, combined with results of Hiroshima and Nagasaki. Similar results would follow an invasion using tactical nuclear weapons.

If one considers a blockade/bombing campaign, with no invasion, (something Nimitz favored), things look no better from the utilitarian perspective of lives lost. Due to the developing food crisis, it is very likely that capitulation would come only after famine had claimed hundreds of thousands or millions of lives in Japan and elsewhere. It is usual for blockaded countries or besieged cities to resist for much longer times than expected. One need only consult history to see evidence of this. Stalingrad was a contemporary case in point. If a population is convinced that the enemy is savage and intractable, it will consider holding out to be the lesser of bad options, and hang on. The resulting famine would have been truly horrific in the case of the Japanese islands, due to its reliance on imports. A final consideration: After the home islands had fallen, capitulation of Japanese forces in Asia might not have moved as quickly and efficiently as it did in the actual case.

For humanitarian reasons one might consider the route of lifting blockade in order to prevent starvation. This, while continuing with a conventional air campaign, and nothing more. The Japanese might have seen this as a sign of lagging resolve, and the militarists would no doubt be encouraged to hang on, hoping that war weariness would bring on negotiations favorable to them. In terms of lives saved, would this be a better option than the least bad atomic option? Consider that we would still be bombing areas of civilian population, and rail systems, because these would obviously be supplying the war effort. In fact, plans were afoot to resume precision bombing, while halting incendiary bombing, with the goal of completely hobbling the Japanese economy and infrastructure. Therefore, even if foodstuffs were to arrive from other areas of occupied Asia in sufficient quantities (as is very unlikely to begin with) effective distribution would not occur. The result again would be a more lengthy war, with the attendant 150,000 or more casualties a week. I suspect this option would have had the war dragging through most of 1946, perhaps into 1947. Famine would have likely inflated the death rate alarmingly, despite the humanitarian move. Again, the numbers do not pan out, and if negotiation had settled on something more in line with the militarists' goals, in order to forestall a humanitarian catastrophe, justice would not be served. One last note. In all scenarios involving the lengthening of the war, we have to take into account Russian involvement with all the attendant moral risk.

As nearly as possible, we have exhaustively considered the results of all non-nuclear options. We now move to those that involved use of the gadgets:

## Alternate Nuclear Options

The first option is Marshall's, invasion on X-Day using atomic weapons tactically. It is more than likely that, by November 1, there would be Russian involvement, as well as continued fighting in Asia. The unrealistic naivety with regard to moving forces in so soon after use of atomic weapons would have subjected thousands of allied soldiers to radiation death and poisoning, as it would Japanese. This would augment the overall casualty rates, including civilians, both combatant and non-combatant. Again, the option is not better than the strategic bombing option actually employed, when this is considered.

The next option is in fact the option used. That is, early (well before X- day) use of atomic weapons on militarily important target with non-specific warning as to nature of weapon, time and place. (This is in essence what Potsdam declaration produced). We needn't rehearse the outcome, but can note that the July and early August leaflet drops, which warned a set of cities that highly destructive bombing raids were to come on some subset of those cities, did give civilians the time to evacuate/prepare. The lack of specifics, as to the nature of the weapons preserved the shock potential's promise to cut off hostilities before the Russian war in Manchuria fully developed, or before invasion of the home islands became necessary. Failure of the devices would not be noticed and publicized by the Japanese.

Defense of this option does naturally lead to questions about similar options. In particular, what can we say about an equally early use, in the first week of August, but on a militarily important target with specific warning as to either nature or time/place? Again, warned civilians could evacuate or prepare. Device failure would be publicized. The Japanese could move in POWs, for hostage and propaganda purposes if not already present.<sup>27</sup> The Japanese government could make efforts to inoculate the populace against the shock effect. It is likely that at least two bombs would have been required here again, as one was not sufficient, with full surprise in place. Again, with specific warning, the shock would be moderated; the Japanese would know what was coming. Overall, casualty levels would have probably outstripped the actual case.

Before moving to other options, I must note here, if anyone protests that there was the option of use against purely military targets, not merely "militarily important" ones, that this is simply not true. It was not possible to attack a purely military target without also involving civilian casualties, unless one were able to find some remnant of the Japanese fleet sufficiently far out to sea, or stranded on bypassed

---

<sup>27</sup> As was the case in Hiroshima and Nagasaki. Allied airmen were held in Hiroshima. See Lester Tenny's *My Hitch in Hell*, for his account of the Nagasaki aftermath.

islands, such as Truk, 2176 miles from Japan. Such targets would have had little or no psychological impact in Tokyo. So, such attacks would need to occur on the home islands. At this late date, most of what remained of its fleet was in port on the home islands, damaged. Realistically, at this point in the war, the only military targets were mixed. Even assuming a pure target, the effort would have amounted to a demonstration. Some suggest this as a morally better option. Is that true from the utilitarian point of view?

#### Demonstration

A demonstration would necessitate arrangement as to time and place, or it would not be visible. Most likely, such a demonstration would not have made a strong enough impression to compel surrender. After all, if the all-too-real and grizzly demonstration at Hiroshima did not compel action, an offshore show, or high atmospheric blast (as Teller suggested) would likely not have done so. Failure in this would necessitate the follow through, and carnage at least as high and most likely higher than that from Hiroshima and Nagasaki combined. One must keep in mind that the Hiroshima bombing was, by itself, not enough. Indeed both bombings and Russian initiation of war in Manchuria nearly did not do the trick. The capitulation was a close run thing in actuality. There was an attempted coup by elements of the army. A demonstration would have only delayed a similar course of events by weeks. Again, numbers do not add up. What is more, there was evidence, at the time that no use of the atomic option would work; the inaction after the incendiary raids spoke volumes about Japanese determination.

This brings us to the last available nuclear option; use of the atomic option only after having tried, for a sufficient period of time, the most plausible of the non-nuclear options: Clearly, this would have eventuated in casualty counts much higher than the actual, and the troubling involvement of Soviet Russia in post war Japan.

So, all in all, we see that, in terms of casualties, the course initiated by Roosevelt and later taken by Truman, Stimson, Marshall and the others was, as Stimson put it, in all probability the least abhorrent of a distressingly abhorrent set of options. Again, no matter the choice, appalling civilian casualties would ensue. The only virtue the least abhorrent option had was that it was precisely that- the least abhorrent- when it came to casualties. So, looking at things from a utilitarian perspective, with aggregate lives in mind, it looks like Stimson was correct.

Nevertheless, one may protest that this is to take the utilitarian aspect of the case as paramount, when we should not. To use Stimson's word again, perhaps the *extra-utilitarian aspects* of the option were

simply *too abhorrent* to take despite the utilitarian justification. Perhaps the inherent nature of intentional targeting of cities for mixed-purposes makes it such as to be morally unacceptable in any and every case. Additionally, we should not preclude the possibility that there might be some subtle and more rule-utilitarian reason for restraint. How might such arguments run?

A good way to begin to answer this question is to sketch the ethical landscape that existed for decision makers. What were their responsibilities, and what limitations did the circumstance present? What moral restrictions existed? One obvious moral constant: Civilian deaths were lurking in every option available, whether caused by blockade or military action. No matter the option, decision makers would have knowingly chosen to put into motion events that resulted in appalling levels of civilian and combatant deaths.

What is more, when focusing on Truman, and military command, they had certain unique responsibilities or obligations in those roles. Truman's obligation as CNC was to his country, U.S. armed forces and civilians (all citizens). He had a sworn duty to protect them. He had to exercise competent stewardship of the lives of the armed forces, a large majority of which were conscripts. He had to save as many as possible, as soon as possible, by ending the war. He also had a responsibility to ensure elimination of long-term threat from Japan.

He also had a general obligation to humanity in the person of all involved people (Japanese, allied nations, etc.) to take the option that preserved and *respected* lives to *greatest extent* possible given the circumstances, not only over the short term, but also over the long term. As a world political leader, he had an obligation to work toward a peaceful and humane world order.

A quick review of the predominant ethical or moral theories through which we can analyze this set of obligations allows us to expand upon them, show up internal tensions that make for the moral challenge Truman faced, and allows us to see several ways that the argument to the moral impermissibility of Truman's option might run. In the course of presenting these theories, and objections based upon them, we will answer them. That will lead us to the end of the paper, which presents a case for the primacy of the utilitarian justification we have just made. We begin with a quick reiteration of that utilitarian thought process:

### Utilitarian considerations

This paradigm has us take the option that best minimizes the level of harm over the long and short term. It looks like Truman's option fit this bill, having preserved, to the greatest extent possible, the lives at risk, removed the threat of Japan, and, in concert with other decisions, started a period of relative peace we still enjoy. Granted, he did not see that far ahead, but certainly, the shorter-term case is arguable, and occurs in the just completed first part of this paper. So, enough said about this outlook, the 'subtle' rule-utilitarian objection referenced earlier set aside for now. This objection appears in the next section, within a treatment of Kantian views, oddly enough. So, we move to these other ethical paradigms, starting with Kant.

### Kantian Considerations

One formulation of the Categorical Imperative is this: Avoid options that use persons as mere means to desired ends. The targeting of civilian non-combatants for shock at the cost of their lives clearly does violate this formulation. This is a definite strike against Stimson's 'least abhorrent option.' Even if one would like to make an argument that the adults in question chose their governments in Japan and Germany, thus forfeiting such consideration, one cannot plausibly make this case for children.

Another question, in the spirit of the Categorical Imperative, persists: Would such attacks in supreme emergencies or dire circumstances be in some way condoning or *institutionalizing* a blatant disregard for the notion of respect for persons? This question ties in more closely to Kant's "kingdom of ends" formulation of the categorical imperative, and asks if a legal or moral regime, global in scope, can allow exceptions to the small-'L' liberal norm, and still count as being sufficiently respectful of person. The answer to this question is not so clear-cut. More on that as we develop the section below on a third formulation of the Categorical Imperative, one closely related – the universalizability formulation:

This formulation of the Categorical Imperative tells us: Take only those options that you could consistently will as universal laws that all must follow. Clearly, we want a universal law that does not forbid war when it is truly necessary (in cases of aggressive evil regimes, uncontained and pervasive carnage, severe despotism or genuine supreme emergency). However, in connection with our present case, Kant would have us question and examine the feasibility of *narrower scope* universalized maxims that allow for *intentional targeting of non-combatants* in dire or supreme emergency. One might

suspect that such a universal law, precisely because it would allow such acts in dire circumstances, would be open to abuse, or open to a slippery slope hazard, because people could exploit the vagueness of the terms 'supreme emergency,' and 'dire' This is one strike against such allowances.

One could argue, on the other hand, that the narrowness of scope, restricting such actions *only* to dire or supreme emergencies, would allow for such actions, and would not open us up to a slippery slope, *if* the restriction to truly dire conditions were rigorously respected. In any case, a slippery slope worry is not a directly Kantian reason for not allowing intentional targeting of civilians. It is more directly a Rule Utilitarian worry. This is not to say that it does not engage Kantian worries. The rub for Kant would come if such a universal law *institutionally sanctioned* a blatant disregard for the notion of respect for persons, or if it was fundamentally self-contradictory, or self-defeating in some way, upon universalization. Does the risk of slippery slope open either of these further risks? Looking at the latter first:

Is there an inherent contradiction, irrationality or self-defeating consequence of adopting a universalized maxim allowing for shock targeting in dire circumstances or supreme emergency? Does the law become impossible to follow in a world that allows states to act by it? It is by no means clear that this would be the case. To see why, let us contrast this with Kant's own lying promise case. It is very plausible, in that case, to see that a world governed by a universal law that allows for lying promises in order to survive challenging circumstances, is one where lying would in fact become impossible, because the trust that is essential for a lie to find purchase, would not exist. The practice would be common, and the common person would know it. He or she would know that the descriptor 'challenging circumstance' covers a wide field even if rigorously respected. That common person would be highly suspicious of any promise making.

On the other hand, it seems like no analogous self-defeating circumstance would eventuate in a world that allows nations to escape from dire or supreme emergency via shock attacks against civilians, or more precisely and narrowly, shock attack against civilians, *only* in such circumstances and when other options are exhausted. It is quite likely that ours is, or is very near, such a world, and obviously, such attacks remain possible in our world. They also remain effective means to the goal- cessation of the dire or supreme emergencies. Nothing fundamentally irrational here when universalized.

Yet, there are other examples Kant provides that bear on this irrationality question. Perhaps this case is more like suicide, an act Kant describes as being self-defeating because it is an instance of the impulse to save life or preserve quality of life in fact taking life, obviously making quality of life unobtainable.

Self-destruction is a form of self-contradiction on the part of the impulse toward life, according to Kant. Perhaps allowing one nation to shock target another is something like civilization killing itself. One suspects the correct response to this analogy, as applied to civilizational warfare, is one that reflects the correct response to the suicide case: There are circumstances where quality of life is impossible to obtain, and only miserable life is available. In such circumstances, the choice of not living is preferable, on a qualitative and rational basis. This is a rationally defensible choice. Therefore, the option of suicide is allowable with attendant rigorous provisos included in the covering law. Permitting this is not, in any obvious way, disrespectful of persons. Something similar is true as we 'scale up' the analogy ladder, considering things on the international, civilizational or "kingdom of ends" level, in the present discussion of WWII.

On that scale, one might consistently allow a narrowly constrained universal law that allows for attacks against civilians of vile and belligerent nations only in supreme or dire emergencies, in order to save civilians in victim nations. There are circumstances where victim nations' quality of life or national life itself is impossible due to the actions of vile states. For victim nations in such a crisis, either life will cease or it will be intolerably miserable if they do not respond. Yet, unlike the terminal-illness suicide example, the cause of this circumstance would not only be external to these victim nations, but eliminable without fatal results for themselves. Concerning such circumstances, a maxim is formable which allows victim nations or third parties to attack such vile states to bring them to cessation of their actions. The rule would allow that sort of action only if circumstances are such that the only plausible way to end the dire circumstance is to attack the belligerent nations' citizenry by lethal means. But, in so acting, the maxim would arguably be serving civilized life, or quality of life, not only in the specific case of the victim nations protected, but in general, by deterring actual and future actions of a like nature by the offending state or others. It is those barbarous actions, by those types of nations, which are contradictory of life and civilization. They place themselves outside of civilization's ambit when they attack other nations. The defensive responses, guided by this maxim, are not obviously contradictory of civilized life in any way that imperils it on a large and continuing scale. Quite the contrary; this sort of defensive act is arguably preservative of civilized life, and permissible if attack against vile aggressor state citizenries is indeed the only means to preservation of victim life on a civilizational, national or cultural scale. So, unlike Kant's suicide example, this is not, in any important respect, a 'scaled up' case of 'one and the same entity making the choice of attacking itself, imperiling its own existence in the service of that same existence,' but rather, a case that is more analogous to the self-defense exception to the general moral rule against homicide. Kant accepts self-defense as generally serving life and

civilization, and as universalizable. Defense against dire or supreme threat by barbarian states is not best described as civilization attacking itself, but rather as civilization defending itself. In its reference to deterrence, we see there is more than a tincture of rule utilitarianism in this argument, something I had earlier mentioned (the subtle utilitarian objection based on worries about precedent). In that connection, let us consider that 'kingdom of ends' flavored question of whether or not we would be institutionalizing an unacceptable disrespect for persons in allowing shock attack against states like Imperial Japan or Nazi Germany. As we do this, we will also be addressing slippery-slope concerns.

The objection runs like this: To use atomic weapons against civilians for shock effect is to open up a nation, or the world, to moral blackmail. Vile states or non-state actors will see and learn. They will systematically set out to commit atrocities in order to compel decent nations to target non-combatants and civilians in order to force an environment where their preferred tactics become a norm. It would be analogous to a hostage taker threatening to kill his hostage unless police kill some other innocent the abductor chooses. The objection has it that we should not take actions that lead to a furthering or normalizing of such an international environment, thereby allowing the sort of propaganda campaigns from civilization's enemies that draw moral equivalencies between themselves and civilized nations. We can see that modern terrorist tactics, carried out by ISIS, Hamas and other such groups engage in precisely this behavior, and have this long-term strategic aim. They want to level the asymmetric playing field by altering the rules, so to speak.

There is no easy answer to this objection outside one that patiently outlines the differences that exist between vile groups or states that aggressively resort to these sorts of things early and often (in decidedly less than dire circumstances) and the reluctant and rare use of such tactics by more humane nations. Both the rarity of such nations' resort to such measures, and the stringent requirements embodied in the supreme emergency/dire circumstances strictures, actually evidence a respect for persons, particularly notable in the wording of the strictures themselves and the painstaking legal and/or political processes required by the established legal regimes themselves. This stringency shows that respect for persons looms large in the decision procedure. Can we gainsay this?

In any case, this section of our argument shows that Kantian considerations, when looked at through the 'kingdom of ends,' 'universalizability' and 'mere means' formulations of the categorical imperative, lend, at best, ambiguous support to the mixed-purpose use of atomic weapons. It also brings to the fore not only the centrality of the value of life and civilizational preservation, but the importance of the 'sheepdog's' intentions when morally evaluating options, something that leads us into looking at Natural

Law theory, a theoretic paradigm which also focuses attention on intentions. We move to that perspective next:

### Natural Law

In general, this theory tells us to undertake actions that support things that are, by nature, inherently valuable for human flourishing. If an action supports life itself, either by maintenance or by propagation, it is good. If an action furthers human intellect, knowledge or healthy social organization, it should be undertaken. If it supports emotional health, aesthetic capacities or other distinctly human excellences, it should be undertaken. If actions do not support these, they should not be undertaken.

There will be circumstances when it is not possible to honor all of these natural values or commitments at the same time. As noted in the Kantian section, an analogous domestic case relevant to ours is self-defense using lethal means. If someone is attempting to murder you, no matter how you react, you will be undertaking a course that will eventuate in the loss of life. Therefore, at least *prima facie*, you cannot help but do wrong according to natural law theory. Another example: As a component of the naturally valuable practice of institutional or social life, property is important. If we imprison a thief, we obviously limit his ability to interact with society, acquire and possess property, violating those natural values in his case. On the other hand, if we let him run wild, he will take from others. It looks like we do wrong no matter what course we take. How does natural law theory help us here? How does it mediate such conflicts, and how does it provide moral cover or justification for intentions or actions that run counter to one or more natural values?

The outlook provides a decision procedure. It holds that there are two qualifying principles or conditions, either of which if met in its particulars, provides a justification for courses of action that run counter to natural values. We can run the decision procedure, sifting permissible from impermissible actions. These two qualifying principles are the principle of forfeiture, and double effect, both mentioned in earlier sections.

According to the first, when an agent knowingly undertakes actions that violate the natural values of others in a way that is not deserved nor wanted, he has performativity *forfeited* his expectation that society respect claims he has against it regarding violations of the same set of natural values in his person. In short, he has given up certain rights. We can take actions against him that violate those abrogated rights. A simple pair of examples shows how this works. The first is self-defense. An assailant puts you in a position where you have no reasonable non-lethal alternative to his threat, if you are going

to preserve your life. He has given up or forfeited his right to his own life, and you can take his in protecting your own. Similarly, if someone steals from you, he will have forfeited his right to free and unfettered access to available items of property. Jailing is a justifiable response. However, it would be “overkill” to take his life in this second circumstance if he poses no threat to yours. Why? An aspect of Natural law theory’s second discriminatory principle explains why. This second principle is the venerable principle of double effect.

According to this principle, in cases where the principle of forfeiture does not apply, and it is the case that an action has two consequences, one of which is supportive of natural values (is beneficial, to put it briefly) and another that does not (is bad), one can undertake that action if it meets four conditions:

1. The act under consideration is not inherently bad (bad in itself)
2. The bad effect is unavoidable if the good effect is to be achieved.
3. The bad effect is not intended as a direct means to the good effect, and
4. Proportionality exists between the good or beneficial effect and the bad effect, such that the latter does not outweigh the former. (It is in this fourth condition that we see an explanation of the “overkill” in the thief scenario.)

What do these two principles tell us about the use of atomic bombs for shock effect in dire or existential circumstances? The principle of forfeiture applies more obviously to decision makers in the aggressor nations than to anyone else. Hirohito, Tojo, Anami, and others of the hard line party had arguably forfeited right to life. In terms of boots-on-the-ground Japanese combatants, insofar as they attacked allied forces or civilian non-combatants, the principle covers.

How about the Japanese civilian populations of Tokyo, Hiroshima and Nagasaki, had they forfeited life? This is less plausible, even in a society a majority of which actively supports or celebrates such aggression in ways less than material. In cases of material support, such as aircraft factory workers, the case is a more plausible, but still tenuous. These individuals do not personally attack or threaten to attack enemy forces. International norms do allow for attacks on arms factories, for instance. Leaving these workers aside, immunity claims hold more strongly for citizens that merely pay taxes, or contribute to the overall economy of an aggressor nation. In short, it is more plausible in these cases, as contrasted with direct material support, to say that the principle of forfeiture does not allow shock

bombing of broad swathes of civilian areas even in supreme emergency or dire circumstance. What does the principle of double effect give us? Running through its four conditions:

The first gives us a red flag. The act under consideration, targeting of civilian population centers with mixed-purpose (shock and destruction of materiel) is 'bad in itself' due to the former component. Bombing civilian non-combatants who are not involved in the war-making process is in itself bad. Yet, for the sake of thoroughness, let us look at conditions 2 through 4:

Number two: The good effect intended is surrender-inducing shock delivered to decision makers. This is the hoped-for trigger to a quicker end to the war. The bad effect is the civilian casualties. Now, what of the unavoidability requirement in two? The civilian casualties would be unavoidable if they were necessary to the aim. We should ask whether it was certain that the attack would have the intended shock effect, and we should ask if some other means of shock was available. There were no certainties, nevertheless there was a consensus among the experts that there was a *decent chance* that the shock effect could be effectuated, that surrender would ensue, and that the atomic option was the best and only option in that regard.

By process of elimination, other means to that shock or surrender had failed, up to and including horrendous battle casualties in recent campaigns (island hopping up to and including Saipan, Peleliu, Iwo Jima, and Okinawa) and the incendiary attacks of February-July, 1945. Given that these events had made it clear to Japanese decision makers that their combatants and civilians would die by the droves, the worst case or pessimistic reading of the lack of movement on their part would be that no such shock was possible. However, with regard to atomic weapons, those intimately familiar with the Manhattan project argued that a shock-effectuated near term capitulation was plausible enough to pursue due to the unprecedented display and yield of the new inventions. So while it was not plausible to claim a necessary connection, nor even a highly probable connection of one with the other, (as the second condition of the doctrine of double effect requires on a reading more charitable to reality), it was nevertheless plausible to claim a *significantly likely* causal connection between the attacks and the shock. If that is true, then we can count this as a borderline to middling 'pass' on the second condition of PDE. Now, how about the third?

This is an obvious fail for Stimson's option. It fails for the same reason that it fails condition one. The civilian deaths were not foreseen-but-unintended collateral killings, but the direct means to the

psychological impact desired, even if there were substantial military assets in target cities and tactical or strategic justifications for the same raids. Again, a clear “fail” on condition three.

Lastly, a ‘pass’ for condition four is much more arguable. The shock itself is not the primary end, but an intermediate, serving in fact as a means to the end of causing a quick and complete surrender of Japan (with all the resultant allied and Japanese lives saved). Therefore, if we focus on that primary end, it is not at all obvious that the casualties from atomic bombings were wildly out of proportion with the strategic purpose of the bombing, even if it is somewhat plausible to argue that it was out of proportion with the immediate military purpose. Nevertheless, even here, I think an affirmative case is there to be made. Hiroshima and Nagasaki both did have significant military presence and infrastructure, vital to the defense of Kyushu. Japan’s second Army headquarters were in Hiroshima, and that army was in command of Southern Kyushu. Disabling the command structure would have obvious benefits. Similar things are true about Nagasaki’s role in production of military materials, ordnance, ships, and other equipment. As well, it was a vital port. This line of thinking, in concert with those considerations in favor of a ‘pass’ for condition two actually drove Oppenheimer to recommend use. In light of all this, I would give this fourth and final condition a middling to fair “pass.”

But, because the forfeiture condition and the first and third conditions of the double effect test are clear fails, while the others are middling to fair ‘passes,’ I am inclined to read this as an overall failure of the policy for Natural law theory, as the Double Effect principle requires a pass on all four conditions. To knowingly cause deaths of innocents as the direct means to saving the lives of other innocents will not survive this decision procedure, and renders any such action morally forbidden if this two-tiered test is treated as deciding. We now pass on to a theoretical outlook less frequently applied to this case:

#### Virtue Ethical considerations:

Aristotle considered the primary moral question to be how best to form virtuous character. Character traits are dispositions to behavior. Virtuous traits allow human flourishing, an individual and social integration of our reason and other capacities. He means us to take the word integrity in Plato’s dual sense of that word, a sort of mental/moral health, a unified, well-balanced and harmonized state of our complex appetitive, emotional, moral, rational and cognitive capacities. Virtue also allows a parallel flourishing and integration of the *polis*, the social matrix he counts as essential to man’s being. Man is, for Aristotle and the Greeks, an essentially social and rational animal; one imbued with a moral sense,

empathy and a fellow feeling. He cleaves to a lifestyle that relies on reason to balance these various components. Plato and Aristotle held this, the Stoics and other later schools held this. The Natural Law view inherited this outlook as well. All gave extensive advice on how to form character, much of it effectively summarized in the maxim, 'you are what you repeatedly do.' Aristotle's *Nichomachean Ethics* is a high water mark of this school.

It is with this overall view in mind that he elaborated the doctrine of the mean. According to this doctrine, there is associated with almost every conceivable action and affective state, an appropriate response to externals that exists somewhere between two extreme reactions (one deficient, the other excessive), each of which is destructive of personal and social integrity. The examples he uses are quite telling. From courage in battle, to magnanimity of giving, his examples have to do with man in a social/political context. The overall goal of character formation is to mold virtues; that is, behavioral and affective dispositions, which hit the mean states with regard to possible actions and reactions, states which are integrative in both senses referenced above.

..[M]oral virtue is a mean...between two vices, the one involving excess, the other deficiency, and...it is such because its character is to aim at what is intermediate in passions and in actions, as has been sufficiently stated. Hence, also it is no easy task to be good. For in everything it is no easy task to find the middle, e.g. to find the middle of a circle is not for everyone but for him who knows; so, too, anyone can get angry- that is easy- or give or spend money; but to do this to the right person, to the right extent, at the right time, with the right motive, and in the right way, that is not for everyone, nor is it easy; wherefore goodness is both rare and laudable and noble.<sup>28</sup>

Not only is there a duty for each of us to form our own moral character, or attain the virtues, but there is a duty, once virtues are attained, to refrain from taking actions that degrade that hard won moral integrity. There is a duty to maintenance. There are like duties toward others in support and maintenance of their virtues. There is a duty to refrain from actions that tend to degrade the moral integrity or character of those with which one interacts, or more relevant to our present case, those *over which you have moral or legal authority*. Subordinate individuals are likely to take virtue forming or corroding acts as precedent and approbatory. Aristotle uses the paradigm case of parent and child as a

---

<sup>28</sup> Excerpted from *Nichomachean Ethics*, Book II, Chapter 9.

vivid illustration, but we can see similar concerns in military discussion of command climate and other similar matters.

In general, this duty to form and maintain virtue requires, among other things, that we avoid repetitive instances of activities that would tend to deaden or warp character. In the case of the military, this leads to a dilemma, which other professions, such as law enforcement, share. These professions provide essential service or protection to the body politic, and as such, are worthy of promotion. Yet, it is unavoidable that these professions involve use of coercion, violence or lethal force. We have a natural revulsion to killing. Therefore, in order to be able to carry out their jobs, individual soldiers and police officers require a certain level of desensitization to the import of killing human beings and resort to violence. This is for two reasons: In order to make it possible for these individuals to undertake violent or lethal acts in the process of protecting innocents; and in order to prevent one form of moral injury; a debilitating guilt or self-loathing for undertaking such acts.<sup>29</sup> If it were not for training that desensitizes, we would not have protection; we would have no 'sheepdogs.' Yet, we as a society owe it to these sheepdogs to protect them from the risk of moral injury, as we are stewards for those who serve. Therefore, we play with risky medicine when we desensitize.

There are two ways to achieve desensitization, ways exemplified in history. The first is morally perverse, the second acceptable, yet hazardous. The first way is to force individuals into the sorts of acts required, making them repeat the acts frequently for an extended period of time, this with little or no acknowledgement of the fact that the acts injure or kill victims or morally harm agents themselves. Pair this approach with systematic dehumanization of victims and you will eventually make the agents

---

<sup>29</sup> This part of the argument assumes there are two forms of moral injury; the first is a deadening or killing of moral sensitivity, the second is a debilitating amplification of that sensitivity. One could argue that the latter hyper-actuation, evidenced in extreme feelings of guilt or remorse, is actually a sign that moral injury has not occurred, but that moral sensitivities in such people are still very much alive. I tend to disagree with this, in part. Extirpation is not the only species of moral injury. I think this hypersensitivity is in fact a harm to moral capacities that is analogous to enflamed or hypersensitive nervous damage. Just as the latter deleteriously affects our ability to accurately sense things around us, the former imperils our ability to accurately evaluate things morally. In both cases, our ability to take appropriate action when circumstances dictate may be imperiled. Just as the latter makes fine or nuanced sensory distinctions difficult or impossible, the former makes it difficult to tell minor moral affronts from major. This may lead to life destroying self-loathing, for instance, when not warranted by lesser moral transgressions. In either case, our capacities of detection and appropriate action are negatively affected. That, to me, would count as moral injury.

immune to guilt or remorse, only because they will have suffered the greatest moral injury. They will have become morally dead.<sup>30</sup>

The second way is to avoid dehumanization, use lethal violence only as a last resort and provide careful moral justification for the coercive and violent actions. In addition, preparatory to service, time is set aside to discuss the possible personal impact for agents. There is ongoing provision of mentoring 'in the field' for men and women experiencing the inevitable emotional/moral internal backlash that comes with this power. In this second approach, such counselling continues well after service. It intends to preserve moral sensitivity and moral life in the individuals charged with the protective or defense functions of society.

These two descriptions are admittedly idealizations. In practical terms, what often happens is that there is a mixture of methods, elements of the second mixed with the repetitive element of the first: Combatants are trained for war and thrown into battle after some mental/moral/emotional preparation, which continues at varying levels during and after service.<sup>31</sup>

The moral risks are clear, even in the most carefully wrought cases of the second type of approach to desensitization. Some combatants will emerge damaged, less (or more) sensitive to injury or killing than they were, or want to be. There will be symptoms of moral injury. Deadness, guilt, nightmares, remorse or debilitating moral sensitivity. On the other hand, the historical instances of nations that rely primarily on the first type of desensitization show us that they produce monsters and sociopaths at a greater rate, morally dead killers without conscience.

A morally responsible stewardship will avoid, to the greatest extent possible given the circumstances, means that tend toward the first strategy of desensitization, and will utilize methods that mesh well with the second type. Combat undertaken within moral boundaries explicable through the various moral paradigms we are using in this discussion, is followed by counselling.

---

<sup>30</sup> Iris Chang chillingly describes just such a regimen in the Imperial Japanese military educational system during the years leading up to WWII in *The Rape of Nanking*. Saburo Ienaga gives a lengthy and chilling account from inside Japan of the internal security apparatus and indoctrination methods used upon the Japanese population in his *The Pacific War*. This started in the Meiji era (1868) and intensified over the decades. The Nazi SS also engaged in this approach.

<sup>31</sup> A good book length treatment of this training is contained in Lt. Col. Dave Grossman's *On Killing: The Psychological Cost of Learning to Kill in War and Society*.

Imperial Japan's approach to warfare was clearly and unambiguously in the first camp. It is true that there were atrocities on the allied side, and some dehumanization of Japanese in the popular culture and in combat, but atrocities were neither commanded, nor systematic. On the other hand, dehumanization and atrocity were integral components in Imperial Japan's expansion into Asia. The command required and expected it, Hirohito either explicitly approved or implicitly approved with silence. In the field, the distinction between civilian and combatant did not matter as they mauled Asia. All were targets of terror and opportunity, used, humiliated, starved, experimented upon, and ultimately disposed of.

The allied powers, while closer to the second approach, were, at the time, less attentive to the mentorship and counselor components. Indeed, the same holds true today, for veterans of more recent wars. Fortunately, though, since the Vietnam era, the VA and armed services have recognized the phenomena of moral injury and PTS, and taken substantial steps to address.<sup>32</sup> Admittedly, much more needs doing. Yet, when we focus on the WWII era indoctrination and training regimes of the U.S. and Imperial Japan, the approaches are quite starkly different in moral merit. Imperial Japanese practice is perfectly repulsive, condemnable. U.S. practice, even admitting its failings, does not approach the nadir of inhumanity and brutality reached by the Japanese Army. Both Axis states were nakedly aggressive, using violence against civilians from the beginning, as part of policy. Both dehumanized. Both engaged in mass murder. Allied powers did not start the war, and while they did target civilians, it was only under duress and with misgivings.

Nevertheless, one may argue that for allied powers to use means (such as strategic bombing) that approach the indiscriminate nature of these paradigm cases of malignancy is to inflict the sort of moral harm to allied combatants, command and civilian populations that this Aristotelian view disallows. It really makes no difference to the moral injury caused if we deal indiscriminate carnage at ground level by way of troops with bayonets or from the air via B-29s loaded with incendiaries or atomic bombs. To use these methods is responding in kind "sinking to the level of the enemy" as the cliché puts it. This coarsens those who undertake the attacks, those who authorize them, and the citizens of those nations that back the fight. The states themselves internalize this coarseness in citizenry and institutions, becoming morally the worse for it.

---

<sup>32</sup> There is substantial literature on the subject. One striking book, which outlines efforts by VA doctor Jonathan Shay, his colleagues, and patients, is *Achilles in Vietnam: Combat Trauma and the Undoing of Character*.

One can craft the argument against use of atomic weapons in Aristotelian terms, using the framework of his 'doctrine of the mean.' When we use these weapons against cities with shock in mind, we are wandering too close to the extreme or excess of aggression and disregard for person exemplified by Japan and Germany, and not close enough to that other 'deficient' extreme, pacifism and unqualified respect for each life. Being too close to the excessive end, we need to walk our reaction downrange toward the other end. If we do not, a coarsening of character ensues, a coarsening that is not in line with our national character, and the broadly liberal values of the West.

In response to this argument, we note several things from that same Aristotelian perspective. The first is a reminder of the 'bystander effect.' In bystander situations, particularly cases where lifesaving intervention is possible at little or no risk, yet not undertaken, bystanders will experience guilt or become desensitized. This can negatively affect character. Thoughts that one could have intervened but chose not to, either from fear for self or for other reasons, will haunt this particular sort of 'survivor.' In the case of use of atomic weapons, we can see how this would apply to decision makers. Stimson thought using the atomic bombs was a sin of commission. This is why he labeled the option "abhorrent." Yet, he also maintained that a refusal to use the option would have been an equally grave bystander's sin of *omission*. Stimson forcefully says so in the 1947 Harper's magazine article. There was a clear moral risk for Truman and his war cabinet in refraining from the option, because they knew the potential it had for significantly shortening the war. Knowingly consigning many hundreds of thousands to carry out the invasion option, or millions to starvation, weighed heavily upon their minds.

One can see, in the post war reflections of Stimson and Truman, precisely this dilemma, when they considered counterfactuals. Both men say they could not have lived with themselves had they not utilized the atomic bombs. Why? They would have in effect stepped back and either allowed the invasion to go forward on Kyushu, November of 1945, and Honshu April of 1946, with all the attendant casualties (very likely 250,000 to 500,000 dead Americans, 1 to 4 million overall allied casualties) or would have necessarily had to take other similarly grievous options.

Stimson saw this as no mere *political* consideration. He said he could see no way he would have been able, in good conscience, to tell America that decision makers had a weapon that stood a good chance of obviating the need for invasion, or other grievous options (mass starvation from blockade being another), but chose to shelve it. He felt a pressing moral obligation. It would be deeply irresponsible stewardship toward a largely *conscript* armed service to do otherwise. It is quite telling that there is no contemporaneous record of major military leaders voicing misgivings about the atomic option; neither

King, Leahy, MacArthur, Marshall, nor Eisenhower, despite what they said and wrote well after the fact, protested as the option matured. Why? They felt compelled by this same moral obligation. They saw the looming sin of omission in restraint. When we consider that Truman's choice influenced the fate of thousands of POWs, and millions of civilians in what had become an Asian "charnel house" under Japanese occupation, the case is even more pressing.<sup>33</sup> Japanese camp commanders were under orders to kill all POWs when the invasion began. Systematic starvation was within days or weeks of claiming many of those lives before the November timeframe for invasion. Truman knew this, as did his cabinet.

The point here is that no matter the course taken, guilt or coarsening of character would ensue, on Aristotle's view. All options were abhorrent, and anyone with but a modicum of moral awareness would know this. Wartime leaders must take on that yoke, as their particular burden. As stewards and decision makers, holding matters of life and death in their hands for large swathes of humanity, they must make these excruciating decisions. Post war testimony of Truman and Stimson shows their wartime decisions had a decided and lasting moral impact upon them. They report that the impact on character would have been so great had they abstained, as to cripple their ability to live with themselves. That is saying something. It is testimony to their recognition of the abhorrence of all of the options.

Yet, we need to broaden the scope of the virtue ethical examination here, taking into account not only leaders but also the armed forces and the civilian population they led. There is a moral responsibility to avoid tactics or strategies that coarsen these broader categories of person. If you view man as essentially social, you worry about amplifying effect. A morally warped polis envelops and warps its citizens. Given the amplifying effect of social feedback loops, the moral danger posed by using abhorrent options only intensifies. Rationalizations of barbarism may lead whole countries to barbarism. Germany and Japan are cases in point. Perhaps this is reason enough to abstain from shock attack on civilians.

Perhaps, but one must keep in mind that an informed military and public will be aware of the exigencies of the fight, will be aware of whether or not the tactic or strategy is terrorism of first resort. It will be cognizant of whether or not its state is an aggressor or defender, and whether or not its government targets enemy civilians as a matter of course. To the extent that a force or public is aware that its government obeys civilized laws of war as standard, and parts with them only in extremis, one can imagine that public character will suffer less damage, less national guilt or coarsening. In fact, a clear-

---

<sup>33</sup> Again, the term is Gavan Daws' *Prisoners of the Japanese*, page 363.

eyed recognition of the exigencies, and the difficult choices forced by them, often is the engine for moral and technological improvements that obviate or render less likely the need for repeat performances. There is empirical evidence to that effect in the post war world. The international community has significantly strengthened moral, political and legal restrictions against targeting of civilians, for shock or any other purposes. At the same time, accelerated technological development in intelligence gathering, targeting and munitions is making such restrictions not mere ideals, but plausible constants in conflict (at least between nations dedicated to the international legal regime for warfare). All of this requires that states respect truth, and carry out responsibilities transparently as possible given circumstances. Again, we see the Allied governments did this, where the Axis governments did not.

To the extent that there is public moral injury from having used the gadgets, it arguably led to an improved international environment in the longer term. With regard to national character of the U.S., we can say this, referring to the advice Aristotle might give: Repeated instances of officially sanctioned and morally forbidden acts, *in non-extreme* circumstances runs the much greater risk of degrading national character. The U.S. did not repeatedly, and with great frequency, resort to attack on civilians during the four-year course of the war. The U.S. did not surprise attack millions of Chinese, nor did it resort to widespread barbarism and carnage as standard practice. It was not aggressively expansionist. It did not enslave and starve on a massive scale. Japan did. Because it resorted to strategic bombing and shock attack only in the dire circumstances that had evolved over the course of that war, the U.S. shouldered considerably less risk of moral injury than did its adversaries.

It is also possible, in cases where nations choose *to refrain from* utilization of some normally forbidden course in extremis, that citizenry or government could suffer moral harm from bystander effect. Exactly what form it would take, we may not be able to predict. It may be some apparent national flaw, perhaps a blind spot or denial in some way relevant to the particulars of the choice. Perhaps the nation would tend to retreat from the world, or be less sensitive to casualties. Counterfactually, we can ask what effect on the U.S. psyche would have occurred if the bombs were never used, and it came to light that they could have been, and could have cut short the war before a very costly invasion of the Japanese home islands occurred, or a starving blockade had been allowed to run its full course. No doubt, many would have felt this was an error of omission.

In connection with this notion of moral injury and bystander effect, it is interesting to contrast the responses of Germany and Japan to their WWII era histories. One can argue that moral injury and the bystander effect had greater impact upon Japan than Germany, due to the nation's reticence to come to

terms with the actions of Imperial Japan. Both nations had to reconcile with national past. Germany faced it squarely, apologized, paid reparations, outlawed the Nazi party, hid nothing of Nazism in its educational systems, etc., while Japan engaged in denial, underplayed the atrocities, even engaged in revisionism when it came to Nanking, 'comfort women' POW treatment and other dreadful things. To the extent that allied nations enabled this in the post war years, we too are morally blameworthy. The key take-away is that bystander-effect errors of omission can be as morally debilitating as errors of commission.

In summary, it looks like Aristotelian ethics cuts both ways when it comes to the decision to use the bombs for shock. While it is true that leaders must consider the risks of moral injury involved in their strategic and tactical decisions, it is also true that such injuries will happen come what may, in a setting like WWII. Tempering of injury is possible with well-reasoned, open and frank discussion, as well as a determination to resort to normally forbidden actions only in dire or emergency circumstances. Nothing in this view necessarily precludes use of normally forbidden measures in true cases of supreme emergency or dire necessity.

We now move to Just War tradition, looking at concepts from that portion of the tradition that looks at the ethical restraints during fighting, the so-called *jus in bello* conditions:

### Just War (*in bello*)

The first concept is one we discussed earlier in connection with Natural Law theory's Double Effect test; the notion of *proportionality*. We can briefly expand here:

#### Proportionality

With Little Boy and Fat Man, it could be argued (even assuming there was no direct targeting for shock effect), that the ratio of civilian to military casualties was simply too high given the value of the immediate military objectives. While there were significant strategic reasons for targeting Hiroshima, the plausible casualty projections in undertaking the direct tactical goals should have prohibited use.

Best estimates are that Japanese Army casualties at Hiroshima were 3243, from out of the approximately 40,000 Japanese Second Army personnel present. With a population of between 300,000

and 400,000 in August, too many of Hiroshima's civilians were directly in harm's way, while it was nonetheless true that the city had targets of both industrial and military significance. It housed the headquarters of Hata's Second General Army. This was in fact the command for defense of Southern Japan, including Kyushu. He commanded around 400,000 men on Kyushu, prepping for the allied invasion. In addition, present in Hiroshima were the Headquarters for the 59th Army, the 5th Division and the 224th Division. Three anti-aircraft regiments and two battalions defended the city. Hiroshima had large stockpiles of military supplies, was a communications center, a major port and an assembly area for Japanese forces.

Nagasaki was home to a major port, and major wartime industry, manufacturing ships, ordnance and other supplies at Mitsubishi Shipyards and various other facilities. The population's housing contained a healthy distribution of manufacturing as well, as had been the case in Tokyo. The war industry employed approximately 90% of the population.

Despite all this, the projected casualty rates for non-combatants ranged from 50,000 to 100,000 for each attack, and arguably outweighed the immediate possible tactical benefits.

The response: The ratio is acceptable from the longer-term perspective, quite aside from the reasonable belief that the shock effect would take. In combination with invasion, the planned concerted attack on Japanese rail, mining of the ports, and continued blockade would perhaps have accelerated the end of the war to some extent. However, when contrasted with the war shortening potential of the shock, this would have been a second best alternative, examined through the lens of proportionality. Although by no means a certainty, the targeting committee and those that had designed and built the bomb were convinced there was a reasonable probability of ending the war many months (perhaps years) earlier than anyone had anticipated using conventional means. When you factor in all the hundreds of thousands to millions of lives potentially saved in allied forces, Japan and Asia, the proportionality in the two strikes is much more defensible.

One may maintain that one cannot act upon mere probabilities in such cases due to the utter certainty of non-combatant fatalities that will result from the atomic attacks, but this would require further argument, in light of the opposing case. There were no certainties in any of the non-atomic options either. To argue that we must freeze in the face of such uncertainties is to counsel inaction, and acquiescence to Japanese depredations. To argue that we need to freeze in the face of such uncertainty only in the case of one option, but not with regard to the others, is question begging.

This discussion of proportionality actually hinges upon a feature of the weapons that accounts for the more favorable proportion of casualties in the long term *and* the less than favorable ratios in the short term- their power. They have the capacity to bring about tens to hundreds of thousands of casualties in a moment. This brings us to the next concept from Just War theory:

#### Discrimination

Con: The yield of the weapons is indeed unique and renders them too indiscriminate. They can never to pass this test. To use them is necessarily to use a grossly indiscriminate weapon. It is never permissible to use these. For similar reasons biological weapons are forbidden. (In fact, during the post war years a similar attitude toward nuclear weapons has formed, arguably because of the attacks upon Hiroshima and Nagasaki, and because of the much larger yield of ensuing weaponry.)

Pro: Given the ordnance and targeting technology of the time, the cumulative effect (casualties) from imprecise conventional bombing over a period of hours or days is comparable to the instantaneous and equally indiscriminate effect in casualties consequent to use of atomic bombs the size of Little Boy and Fat Man. The following would seem to be true, in the technological context of WWII:

P1 If the former is acceptable as a means to victory, within a reasonable period for cessation of hostilities, then so too is the later if the likelihood of quicker victory significantly increases by their use, *ceteris paribus*<sup>34</sup>.

One need only recall the casualty levels of the incendiary campaigns, typically carried out in nightly raids, to see that the two atomic bombs were not significantly out of the range of the technology of the time.

Contrast this with the case of megaton yield bombs. Given the proximity of civilian centers to military targets, and the congestion of Japanese urban areas, the instantaneous effect of a megaton device would be equal to several years of conventional bombing. This would produce a total of civilian casualties well beyond that produced by conventional means within the reasonable period for cessation of hostilities. You will have killed many more people than would have been killed in the 1 ½ to 2 years projected to win the war. Therefore, one could argue, using P1, that use of these larger yield weapons remains a moral problem in terms of not only discrimination, but also proportionality.

---

<sup>34</sup> Everything else held constant.

Something like this appears to have been at least implicit in the thinking of Roosevelt, Truman, Stimson, Groves, Marshall, Leahy (during the war) and others. The thinking seems to have been something like this: If you consider atomic attacks, the necessary heuristic is to consider them as surrogates for conventional bombing attack. In doing so, one must determine whether the casualty levels produced are substantially greater than the likely casualty level that would be produced by using the conventional means for which they substitute, within a reasonable time frame for the conflict (a reasonable period of time in which to attain victory). If the casualty projections are indeed substantially greater from the one time use of the nuclear weapon, than they would be from use of conventional means within this reasonable period for victory, then use the nuclear weapons is not morally allowed. If, on the other hand, the projected casualty rate from use of the atomic option is well below projections for conventional means during the reasonable period, then it is at least permissible to use them. If the amounts are close to equal, one should use them, if you have good reason to think likely impact would have a marked and quick effect on the will of the enemy to continue the fight, or upon his material ability to do so. Given the principals believed something like the latter two of these broad conditions to be satisfied, they felt justified in moving forward with the plans. This brings us to the last of the *in bello* criteria:

#### Probability of Success

At late stages of the war, there was a high probability of eventual capitulation, but great uncertainty as to the exactly when this would happen. Considered opinion held that conventional means (invasion, blockade, conventional air attack, negotiation, or some combination of these) would be slow in taking hold and costly in allied, Japanese and Asian lives. To end the war while unnecessarily bringing about these higher-level casualties would not have been a moral success, but a failure. When the atomic option was added, the considered opinion was that there was a reasonable prospect of an operative shock effect, which would hasten the end of the war, shortening it by at least three months, more probably, many months to years. This obviously increased the perceived odds of success in the project of saving the hundreds of thousands to millions of lives at stake because it provided a route to a quicker end to fighting. It then became a question of whether to continue to fight using that additional tool, and knowingly using it for that shock effect, or not. No one in authority believed he could responsibly forgo that tool, when he considered the stewardship responsibilities he had toward American service members. What is more: No one could seriously maintain that the probability of success in saving lives *diminished* by introduction of the atomic option. At an implausible worst, the atomic option would have

had no discernable effect on that probability. More reasonably, it held out the possibility of hastening crisis in Japans *material ability* to wage war. In addition, as we have maintained throughout, they saw it as having a good prospect of inflicting a *psychological shock* that would hasten capitulation even before material means became exhausted. This is precisely what happened. After receiving reports from Hiroshima, Hirohito realized that the fundamental supporting tenant of *Ketsu Go* fell from underneath him. It is hard to conceive any alternative scenario that would have brought this change of mind about so quickly. The accelerated timeline of entry of the Soviets into Manchuria is evidence that they too saw the bombs as having fundamentally altered things. Stalin wanted spoils, as he had acquired in Germany, and evidently realized if he waited even another week, that he would perhaps miss out.<sup>35</sup> In brief, we see the *in bello* criteria of Just War tradition tend to support use, even if the case is not a 'slam dunk.'

#### Summary from the Ethical Perspectives and Conclusion

Examining the case from the various philosophical/ethical perspectives, we see that there are conflicting messages from them. Some viewpoints or tests deliver a clear 'no' others a plausible 'yes,' yet others ambiguity. I had said earlier that I believed this was to be expected, and that in this case, due to its alarming particulars, the broadly utilitarian argument made in the first portion of the paper would find precedence. I now need to defend and explain that claim briefly. I say it for two reasons:

Firstly, we are looking at the case from the point of view of the decision makers, in their roles as military and political leaders, leaders of large national institutions (governments) charged with stewardship, that is, protection of large citizen populations, including conscript military forces. As such, they have to make decisions that are best for these populations considered in the aggregate. This is what policy makers do during times of extreme danger. In effect, the allied leaders each had primary obligations to their own citizens and armed forces. As agents of world civilization, they also had responsibility for preservation of a civilized liberal international order. Secondarily, there was a more general humanitarian obligation toward belligerent nationals- axis civilians and combatants. Because these leaders had a sworn duty to

---

<sup>35</sup> For a thorough presentation of Stalin's rapaciousness in Europe after the German surrender one can do no better than read the narrative in Stanley Weintraub's *The Last Great Victory: The End of World War II, July/August 1945*, Dutton Books, 1995

consider things in this existential/civilizational way, they had to look at the aggregate effects of the various options and weigh them in terms of these primary and secondary obligations. Given the dire circumstances introduced by Axis depredations, this ultimately reduced to the task of removing the ongoing threat to civilized life that these authoritarian regimes presented as quickly and humanely as possible, while ensuring no repeat performances. Again, something like the proportionality calculus was in play, as a component of the overall strategic goal. Axis lives would unavoidably be lost. Therefore, a humanitarian obligation to limit those losses existed. During the summer of 1945, the plausible projections for alternatives available pointed the way to Stimson's 'least abhorrent choice' being precisely that, the least bad of bad options when it came to Japan, the sole surviving Axis power. The shock option seemed to be the one that had the best chances of not only demolishing the Imperial Japanese state earliest, and with the least loss of life, but also the best chances of inoculating its national psyche against the Imperial and totalitarian tendency.

The second reason I think the broadly utilitarian justification weighs most heavily is, I suspect more convoluted or abstract; a philosopher's explanation. It focuses upon objections we have received from our various ethical paradigms. It makes a quasi-Kantian point about all of them. That point is this; from the point of view of each of the perspectives or tests that delivers a clear 'no,' upon application to Stimson's 'least abhorrent choice' this seems to obtain:

If one were to respect the stated principle to the hilt, while in the dire circumstance or supreme civilizational emergency in place during the Second World War, this would probably imperil or spell doom for the very way of life that the principle is supposed to instantiate, enhance or preserve. For, Japan and Germany had no respect for any of these principles.

To take an example; if Allied leaders were to have rigorously adhered to the course that the 'mere means' formulation of the categorical imperative apparently requires, they would not have engaged in strategic mixed-purpose bombing, even as the Axis nations did so engage. Geopolitically and strategically, we get this result from such asymmetry: At the very least, one would have ensured greater probability of survival and success for Japan and Germany. In so doing, Allied leaders would have succeeded in creating, or allowing space for, an international environment that has no place for respect of that very imperative, dooming many thousands or millions to that status of being mere means, enduring slavery or death, at least for a more protracted period of time than actually obtained. For instance, Japan might have held conquered territories in China, and continued barbarities apace.

Germany would have been able to act similarly in its sphere. Indeed, both may never have been defeated.

Allied leaders' revulsion at the thought of acting in the same way as Axis powers would have led to a sin of omission. We must ask: Is it morally better to abstain from shock attack, (using people as mere means) if the result of such abstinence allows such states to act in the same way for indefinite periods of time, and over great tracts of the planet, with much greater frequency, and with impunity? It is by no means obvious that this is the case.

Similarly, if Allied leaders were to have adhered to the strict letter of the law with regard to the doctrine of double effect, that would have amounted to a consistent refusal either to undertake any actions that were disproportionate on a short term reading, or which made use of shock attack on cities as a direct means to victory, even as Axis enemies did routinely so act. Again, Allied leaders would have at least increased the life span of regimes, and made more possible a world-order, that did not give a damn about that very principle or doctrine, as a matter of course. Again, potentially millions would have paid the price; millions would have been potential targets of routine terror, routine shock attack for a longer period and, if Axis war aims had succeeded, (as would seem probable in this asymmetric counterfactual), with much greater frequency and impunity, perhaps for the foreseeable future. Civilization, or at least civilization worth having, would have perished. Such purism would have doomed posterity to living in hell. Is this really a morally better outcome; a fastidious moral purity leading to hell on Earth? No. In either case, we can plausibly make an argument that such purism does not actually respect the principles in question, but abandons them.

There is a lesson to learn here that I think is broadly consequentialist or utilitarian in import.

Paradoxically, there are cases where preservation of civilizations that honor liberal moral principles will require violations of those same principles. Dire civilizational threats or supreme emergencies such as those posed during World War II are such circumstances.

Put in a way that is reminiscent of Kant's Kingdom of Ends conception, we can say this is the case: When confronted with such dire situations liberal leaders may feel it is their duty to always, and in every case, act by the set of rules that a fully enlightened and moral global society would live by. On the other hand, leaders may feel the correct course is to do their best to preserve any elements of such a society that

already exist. This latter goal may require that they 'dirty their hands.'<sup>36</sup> As Rae Langton puts it when she considers the 'kingdom of ends' formulation of Kant's categorical imperative in quite another connection,

*How should we think of Kant's ideal: is the Kingdom an ideal to be lived by, or a goal to be sought? If it is ever the latter, then sometimes - in evil circumstances - it will be permissible and even required, to act strategically for the Kingdom's sake.<sup>37</sup>*

Bringing this back to the end of the Pacific war, the United States and its allies had every moral reason to insist on terms of surrender that stripped Imperial Japan of all power. Clearly, this made any concessions to the war party's four conditions ethically untenable and further has the result that that prudential compromise which allowed Hirohito's continued purchase on life a much more difficult and questionable Allied decision.<sup>38</sup> Given the moral urgency of ending the war as quickly as possible Truman and Stimson realized that they would dirty their hands come what may. It is not merely possible, but quite probable that their chosen course was indeed the least abhorrent available to them. It ended the war with fewer casualties than any other option but at the cost of violating some deeply valued liberal moral standards, standards that were under sustained and substantial threat by Axis powers.

In our imperfect world, we necessarily must build and preserve against the darkness, and this sometimes forces us to take the least abhorrent option. We should keep this in mind as we sit back, from the safe distance of time and pass judgment on these two men.

---

<sup>36</sup> As we have seen, Walzer argues this may be necessary in supreme emergency (like our first German scenario). We have argued that it was necessary in circumstances somewhat different, but family related, circumstances of 'dire emergency' (like our second and third German scenario and the state of affairs in the Pacific War).

<sup>37</sup> Rae Langton, "Maria von Herbert's Challenge to Kant"

[https://lms.manhattan.edu/pluginfile.php/41280/mod\\_resource/content/1/Langton%20von%20Herbert%20and%20Kant.pdf](https://lms.manhattan.edu/pluginfile.php/41280/mod_resource/content/1/Langton%20von%20Herbert%20and%20Kant.pdf). Emphasis mine.

<sup>38</sup> This was one among several morally dubious choices to forgo punishment for war crimes. A particularly egregious further case being a bargain struck with the vile General Ishii Shiro, commander of Unit 731 and a network of such biological warfare experimental stations in occupied territories throughout Asia. The deal granted him immunity from prosecution in return for data he had gleaned from barbaric human experimentation. Similar deals were made with German scientists. A detailed history of this effort, and post war whitewashing, can be found in *A Plague upon Humanity: The Secret Genocide of Axis Japan's Germ Warfare Operation*, Daniel Barenblatt, Harper, 2004.

## Further Reading/Works used and cited

Stimson, Henry L., "The Decision to Use the Atomic Bomb," Harper's Magazine, 194:1161 (1947:Feb.) p.97

[afe.easia.columbia.edu/ps/japan/stimson\\_harpers.pdf](http://afe.easia.columbia.edu/ps/japan/stimson_harpers.pdf)

Double Effect, Double Intention, and Asymmetric Warfare, Steven Lee

<http://isme.tamu.edu/JSCOPE04/Lee04.html>

"Terrorism and the Philosophers: Can the ends ever justify the means?" Jim Holt

[http://www.slate.com/articles/arts/egghead/2002/04/terrorism\\_and\\_the\\_philosophers.html](http://www.slate.com/articles/arts/egghead/2002/04/terrorism_and_the_philosophers.html)

Justified? An Analysis of Ethics Concerning the Nuclear Bombings of Hiroshima and Nagasaki, David Miloscia (2015)

<http://www.voxchristi.com/sites/default/files/Dave%20Miloscia.pdf>

Noncombatant Immunity and Truman's Decision, Richard Schoonhoven

<http://isme.tamu.edu/JSCOPE04/Schoonhoven04.html>

Rae Langton, "Maria von Herbert's Challenge to Kant"

[https://lms.manhattan.edu/pluginfile.php/41280/mod\\_resource/content/1/Langton%20von%20Herbert%20and%20Kant.pdf](https://lms.manhattan.edu/pluginfile.php/41280/mod_resource/content/1/Langton%20von%20Herbert%20and%20Kant.pdf)

"Thank God for the Atom Bomb" The New Republic - August 1981, Paul Fussell

<http://www.uio.no/studier/emner/hf/iakh/HIS1300MET/v12/undervisningsmateriale/Fussel%20-%20thank%20god%20for%20the%20atom%20bomb.pdf>

*Marine Amphibious Corps Planning for Operation **Olympic** and the Role of Intelligence in Support of Planning.* Major Mark P. Arens, USMCR [MCIA]

<http://fas.org/irp/eprint/arens/>

Operation Downfall: Planned Invasion of the Islands of Japan in World War II

[http://www.upa.pdx.edu/IMS/currentprojects/TAHv3/Content/PDFs/Operation\\_Downfall.pdf](http://www.upa.pdx.edu/IMS/currentprojects/TAHv3/Content/PDFs/Operation_Downfall.pdf)

The Abiding Significance of Hiroshima and Nagasaki, Christopher O. Tollefsen

<http://www.thepublicdiscourse.com/2010/08/1485/>

The Atomic Bombing of Hiroshima: A Reasonable and Just Decision, Montaniel S. Navarro

<https://m.repository.library.georgetown.edu/bitstream/handle/10822/553364/navarroMontaniel.pdf?sequence=1>

The Final Months of the War with Japan: Signals Intelligence, U.S. Invasion Planning, and the A-Bomb Decision

<https://www.cia.gov/library/center-for-the-study-of-intelligence/csi-publications/books-and-monographs/the-final-months-of-the-war-with-japan-signals-intelligence-u-s-invasion-planning-and-the-a-bomb-decision/csi9810001.html>

Still Waiting for an Apology, Review of Gavan Daws *Prisoners of the Japanese: POWs of World War II in the Pacific*

<http://www.washingtonpost.com/archive/lifestyle/1995/03/16/still-waiting-for-an-apology/29ca08db-29bc-4567-a2bf-fa15f34e9f51/>

“US prisoners of war had parts of their brains and livers removed during WWII, new Japanese exhibit shows” The Independent, UK

<http://www.independent.co.uk/news/world/asia/us-prisoners-of-war-had-parts-of-their-brains-and-livers-removed-during-wwii-new-japanese-exhibit-shows-10159183.html>

A list of Japanese Hell Ships, used to transport Allied POWs

<http://self.gutenberg.org/article/whebn0001069408/list%20of%20japanese%20hell%20ships>

Potsdam Declaration

<http://www.ndl.go.jp/constitution/e/etc/c06.html>

Liberation Of Major Nazi Camps, 1944-1945, U.S. Holocaust Memorial Museum

[http://www.ushmm.org/outreach/en/media\\_nm.php?ModuleId=10007724&MediaId=381](http://www.ushmm.org/outreach/en/media_nm.php?ModuleId=10007724&MediaId=381)

Researching Japanese War Crimes, Drea, Badsher, Hanyok, Lide, Peterson, Yang. Published by the National Archives and Records Administration for the Nazi War Crimes and Japanese Imperial Government Records Interagency Working Group

<http://www.archives.gov/iwg/japanese-war-crimes/introductory-essays.pdf>

Thomas B Allen. and Norman Polmar. Code-Name Downfall. (Simon & Schuster, 1995).

Gavan Daws *Prisoners of the Japanese: POWs of World War II in the Pacific*, 1996

Edward J Drea. "Japanese Preparations for the Defense of the Homeland & Intelligence Forecasting for the Invasion of Japan". In *The Service of the Emperor: Essays on the Imperial Japanese Army* (University of Nebraska Press, 1988).

Wilson Miscamble, *The Most Controversial Decision: Truman, the Atomic Bombs, and the Defeat of Japan* (Cambridge Essential Histories), 2011

Robert James Maddox, *Hiroshima in History: The Myths of Revisionism*, University of Missouri Press, 2011.

Lord Russell of Liverpool, *The Knights of Bushido: A Short History of Japanese War Crimes*. Greenhill Books, 2006.

Ronald H. Spector, *Eagle Against the Sun: the American War with Japan*. (Random House, 1985).

Ronald H. Spector, *In the Ruins of Empire: The Japanese Surrender and the Battle for Postwar Asia*. (Random House)

John Ray Skates. *The Invasion of Japan: Alternative to the Bomb*. (University of South Carolina Press, 1994).

Werner Gruhl, *Imperial Japan's World War Two: 1931-1945*, Transaction Publishers (2007)

Michael Walzer, *Just and Unjust Wars* Basic Books (1977)

Brian VanDeMark, *Pandora's Keepers: Nine Men and the Atomic Bomb*, Bay Books (2005)

Iris Chang, *The Rape of Nanking*, Penguin Books, (1997)

Ianaga, Saburo Ianaga, *The Pacific War, 1931-1945*, Random House, 1975

Bix, Herbert, P. Bix, *Hirohito and the Making of Modern Japan*, Harper Collins, 2000

Michael Kort, *The Columbia Guide to Hiroshima and the Bomb*, Columbia University Press, 2007

Stanley Weintraub, *The Last Great Victory: The End of World War II, July/August 1945*, Dutton. 1995

D.M. Giangreco *Hell to Pay: Operation Downfall and the Invasion of Japan, 1945 to 1947*. Naval Institute Press, 2009

Gar Alperovitz, *Atomic Diplomacy: Hiroshima and Potsdam*, Vintage Book, 1966

Richard B. Frank, *Downfall: The End of the Imperial Japanese Empire*, Penguin Books, 2001

Daniel Barenblatt, *A Plague upon Humanity: The Secret Genocide of Axis Japan's Germ Warfare Operation*, Harper, 2004.