Document
Y
4
In8/16
N88

GOVERNMENT
Storage

DOCUMENTS
JAN 9 1976
THE LIBRARY
KANSAS STATE UNIVERSITY

COMMITTEE PRINT

AUTHORITY TO ORDER THE USE OF NUCLEAR WEAPONS
(United States, United Kingdom, France, Soviet Union, People's Republic of China)

PREPARED FOR THE

SUBCOMMITTEE ON INTERNATIONAL SECURITY AND SCIENTIFIC AFFAIRS

OF THE

COMMITTEE ON INTERNATIONAL RELATIONS

BY THE

CONGRESSIONAL RESEARCH SERVICE
LIBRARY OF CONGRESS

DECEMBER 1, 1975

Printed for the use of the Committee on International Relations

---

U.S. GOVERNMENT PRINTING OFFICE
60-993 O WASHINGTON : 1975

AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

KANSAS STATE
UNIVERSITY
LIBRARY
MANHATTAN

COMMITTEE ON INTERNATIONAL RELATIONS

THOMAS E. MORGAN, Pennsylvania, *Chairman*

CLEMENT J. ZABLOCKI, Wisconsin
WAYNE L. HAYS, Ohio
L. H. FOUNTAIN, North Carolina
DANTE B. FASCELL, Florida
CHARLES C. DIGGS, JR., Michigan
ROBERT N. C. NIX, Pennsylvania
DONALD M. FRASER, Minnesota
BENJAMIN S. ROSENTHAL, New York
LEE H. HAMILTON, Indiana
LESTER L. WOLFF, New York
JONATHAN B. BINGHAM, New York
GUS YATRON, Pennsylvania
ROY A. TAYLOR, North Carolina
MICHAEL HARRINGTON, Massachusetts
LEO J. RYAN, California
CHARLES WILSON, Texas
DONALD W. RIEGLE, JR., Michigan
CARDISS COLLINS, Illinois
STEPHEN J. SOLARZ, New York
HELEN S. MEYNER, New Jersey
DON BONKER, Washington
_____
_____
_____
_____

WILLIAM S. BROOMFIELD, Michigan
EDWARD J. DERWINSKI, Illinois
PAUL FINDLEY, Illinois
JOHN H. BUCHANAN, JR., Alabama
J. HERBERT BURKE, Florida
PIERRE S. DU PONT, Delaware
CHARLES W. WHALEN, JR., Ohio
EDWARD G. BIESTER, JR., Pennsylvania
LARRY WINN, JR., Kansas
BENJAMIN A. GILMAN, New York
TENNYSON GUYER, Ohio
ROBERT J. LAGOMARSINO, California

MARIAN A. CZARNECKI, *Chief of Staff*

SUBCOMMITTEE ON INTERNATIONAL SECURITY AND SCIENTIFIC AFFAIRS

CLEMENT J. ZABLOCKI, Wisconsin *Chairman*

L. H. FOUNTAIN, North Carolina
JONATHAN B. BINGHAM, New York
CHARLES WILSON, Texas
DONALD W. RIEGLE, JR., Michigan

PAUL FINDLEY, Illinois
ROBERT J. LAGOMARSINO, California

GEORGE R. BERDES, *Subcommittee Staff Consultant*
DONALD R. FORTIER, *Minority Subcommittee Staff Consultant*
SHELLY A. SHELTON, *Staff Assistant*

Docu-
ment
Y
4
In 8/16
N88

FOREWORD

HOUSE OF REPRESENTATIVES,
COMMITTEE ON INTERNATIONAL RELATIONS,
Washington, D.C., December 1, 1975.

The material contained in this volume was requested of the Congressional Research Service of the Library of Congress by Hon. Clement J. Zablocki, Chairman of the Subcommittee on International Security and Scientific Affairs.

It is expected that these materials will be of assistance to the committee and its members in considering various pending legislative proposals relating to the first use of nuclear weapons.

THOMAS E. MORGAN, *Chairman.*

LETTER OF TRANSMITTAL

COMMITTEE ON INTERNATIONAL RELATIONS,
SUBCOMMITTEE ON INTERNATIONAL SECURITY
AND SCIENTIFIC AFFAIRS,
Washington, D.C., December 1, 1975.

Hon. THOMAS E. MORGAN,
Chairman, Committee on International Relations,
U.S. House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: The Subcommittee on International Security and Scientific Affairs will open hearings on pending legislation dealing with the issue of first use of nuclear weapons. Involved are complex and significant questions of U.S. policy with far-reaching implications.

The legislative proposals introduced in this session of Congress approach the matter in various ways.

In fact, the entire subject is replete with many preconceived notions and assumptions.

It is obvious that there is the need to establish certain clear bases of discussion as a means of enhancing the effectiveness of the hearings. Foremost among the many factors clouded by potential confusion and uncertainty and therefore requiring clarification is the central issue of what are the prevailing circumstances surrounding any decision to use nuclear weapons in each of the nuclear weapons states. In other words, what are the bases of authority by which the momentous decision to use nuclear weapons may be made.

Therefore, I requested the Congressional Research Service of the Library of Congress to review that question as it applied to the United States, the United Kingdom, France, the Soviet Union, and the People's Republic of China.

Because I believe this information will prove helpful to the members of the committee and the subcommittee, I respectfully request that the resulting studies be made available in the form of a committee print. As always, please be assured that your favorable consideration will be appreciated.

With best wishes, I am,

Sincerely yours,

CLEMENT J. ZABLOCKI,
Chairman, Subcommittee on International
Security and Scientific Affairs.

MEMORANDUM ACCOMPANYING BACKGROUND PAPERS ON THE AUTHORITY TO ORDER THE USE OF NUCLEAR WEAPONS

LIBRARY OF CONGRESS,
CONGRESSIONAL RESEARCH SERVICE,
Washington, D.C., October 16, 1975.

Hon. CLEMENT J. ZABLOCKI,
Chairman, Subcommittee on International Security and Scientific Affairs

DEAR MR. ZABLOCKI: In accordance with your request of July 25 and our subsequent discussions, I am forwarding herewith five papers dealing with the locus of authority to order the use of nuclear weapons in the United Kingdom, France, the Soviet Union, and the People's Republic of China. The paper dealing with the situation in the United States includes some discussion of the President's authority in relation to the U.S. wartime role in NATO.

For the Western democracies (the United States, United Kingdom and France) the authority of the heads of government to order the use of nuclear weapons is relatively clear. In the case of the Soviet Union and China, our information is not so clear. In all cases, however, the pertinent directives and contingency plans to implement this authority are highly classified and very closely held, involving as they do considerations of national security and, possibly, national survival.

Since the papers being transmitted are based only upon what we could find in the open literature and on our own logical inferences, they do not provide full and authoritative descriptions of the policies and practices of the governments concerned. They may serve, however, to indicate the dearth of public information concerning these very sensitive questions and to indicate lines of inquiry to be explored further by the subcommittee.

CHARLES R. GELLNER,
Chief, Foreign Affairs Division.

CONTENTS

	Page
Foreword	III
Letter of transmittal	V
Memorandum accompanying background papers on authority to order the use of nuclear weapons	VII
United States	1
Summary	1
Appendix 1, Consultation	7
Appendix 2, Guidelines for NATO consultation on nuclear weapons	8
United Kingdom	10
Summary	10
Britain's nuclear capability	10
Command and control	11
External constraints	13
France	15
Summary	15
France's nuclear capability	15
Command and control	15
External constraints	17
The Soviet Union	18
Summary	18
Appendix A	21
People's Republic of China	23
Summary	23
Command and control	23
Military forces	25
Tactical nuclear weapons	27
The political role of the People's Liberation Army (PLA)	27
The information problem and the political succession	28
Appendix, The party and state constitutions and the party's top leadership bodies	28

AUTHORITY TO ORDER THE USE OF NUCLEAR WEAPONS

UNITED STATES*

Summary

Under existing law, the President alone has the basic authority to order the use of nuclear weapons. This authority, inherent in his constitutional role as Commander in Chief, may be delegated to subordinate officers in the chain of command virtually without limitation. Whether the President has, in fact, delegated the authority to use nuclear weapons under certain circumstances has not been ascertained. Such delegations, if they exist, would be highly classified.

The President's authority to order the use of theater nuclear weapons in the event of a war involving NATO, while subject to certain procedural arrangements, is similarly unlimited. While the U.S. Government has agreed to consult with other NATO allies before using nuclear weapons in the NATO area, this obligation is limited to situations where time and circumstances permit. Further, while NATO operational plans contemplate the assignment of U.S. theater nuclear forces to the Supreme Allied Commander, Europe (SACEUR), in time of war, the President would retain his constitutional responsibility to control these forces and could order or forbid the use of U.S. nuclear weapons by U.S. forces even after assignment of these forces to SACEUR.

Formal programs of cooperation and stockpile agreements contemplate the transfer of U.S.-owned nuclear warheads from the custody of U.S. military units located in Europe to certain of the NATO allies for their use. Before such weapons can be lawfully transferred to the host nations, an order of release, based on Presidential authority, would be issued to U.S. custodial units.

This paper concerns the authority of the President and other Federal officials to order the use of nuclear weapons. Excluded from its scope is a discussion of the broader question of whether the President may initiate a war (i.e., order a first strike) except in the event an attack or invasion is imminent.[1]

One of the underlying factors generating interest in this matter is the concern which several Members of Congress have expressed relating to U.S. strategic policy which excludes a first strike, but which does not rule out the first use of nuclear weapons, if necessary,

---

*Prepared by Andrew C. Mayer, Specialist in National Defense, Foreign Affairs Division, Oct. 16, 1975.

[1] On the more controversial question of the President's authority to commit forces to combat without the consent of Congress, see a discussion of The War Power. Congressional Research Service. Constitution of the United States of America—Analysis and Interpretation. Washington, U.S. Government Printing Office, 1973. Senate Document No. 92–82. Pp. 323 et seq.

after a war is constitutionally initiated.[2] This concern centers around the fact that, under existing law, the President may, on his own authority, decide to initiate the use of nuclear weapons after a conventional war is commenced. Congress would not necessarily share in such a decision.

The other major circumstance which is of concern is the possibility that the President might delegate to a subordinate his authority to order the use of nuclear weapons. As will be shown, broad delegations of command authority by Presidents to military commanders in time of war have been the rule, not the exception, throughout our national history.

The awesome implications of nuclear warfare, perhaps unprecedented in the history of man, may indicate a need for the Congress to consider whether more legislative control of nuclear weapons in time of war is necessary. This paper does not offer solutions to any of the many questions which these concerns raise. It does attempt to trace the boundaries of authority within which the President may act under the Constitution and current law, and it provides a background which may be helpful in a consideration of this important subject.

The question of which officials have the authority to initiate the use of nuclear weapons is one which has periodically generated considerable interest and controversy. The most exhaustive public debate of the issue took place during the 1964 Presidential campaign when Senator Barry Goldwater suggested [3] that small tactical nuclear weapons should be considered conventional weapons, and that authority to use them should be given to local commanders. While the response on behalf of President Johnson was an overwhelming negative, the answer to this basic question was never really given, nor does it appear that an answer is possible now without reference to highly classified material.

President Johnson emphatically rejected Goldwater's proposal:

> Make no mistake. . . . There is no such thing as a conventional nuclear weapon. For nineteen peril-filled years no nation has loosed the atom against another. To do so now is a political decision of the highest order. It would lead us down a path of blows and counterblows whose outcome none may know. *No president of the United States can divest himself of the responsibility for such a decision.*[4]

In a similar vein, Secretary of Defense Robert S. McNamara stated that the decision to use any nuclear weapons carried such consequences "that the man to make that decision is and must continue to be the President of the United States." [5]

On the other hand, although all administration spokesmen underlined as strongly as possible the fundamental political point that the President did not intend to divest himself of the responsibility for making the decision, on at least one occasion President Johnson

---

[2] First-Strike—The first offensive move of a war. As applied to general nuclear war, it implies the ability to eliminate effective retaliation by the opposition.

First Use—The initial employment of specific military measures, such as nuclear weapons, during the conduct of a war. A belligerent could execute a second strike in response to aggression, yet be the first to employ nuclear weapons.

[3] See The Nation, "Goldwater's Military Views," August 10, 1964, p. 41; Life, "Our Defense," Sept. 25, 1964, p. 10.

[4] Folliard, Edward T. Johnson Assails Rival's A-Plan—Sees Peril in Shifting Control. Washington Post, Sept. 8, 1964: A1, A8. (Italic supplied.) Officially reported in Lyndon B. Johnson, Public Papers of The Presidents, 1963–64, vol. II, p. 1051.

[5] McNamara Reopens Nuclear Issue. Washington Post, Sept. 19, 1964: A6.

indicated that the means whereby his decision would be carried out would involve some judgment on the part of other officials:

> Complex codes and electronic devices prevent unauthorized actions, and every further step along the way, from decision to destruction is governed by the two-man rule. Two or more men must independently decide the order has been given, and must independently take action.[6]

In this connection, it is pertinent to insert the following quotation, from a book dealing with the 1964 campaign, as evidence that the question had arisen even earlier:

> As far back as October 7, 1958, General Earl E. Partridge, former commander of NORAD (North American Air Defense) had told the New York Times that his was the only command authorized to fire a nuclear weapon in combat without the specific approval of the President. As General Partridge outlined the situation, the enemy attack might be so swift that NORAD headquarters would not know of the decision to retaliate with nuclear weapons until well after the retaliation had been ordered. Thus, it might be a division commander with the rank of brigadier or major general who would give the order to fire the first nuclear weapon of World War III. Recalling the Partridge interview during the campaign, the New York Times wrote that although communications had improved since 1958 "there has been no indication that the specific delegation of authority to the NORAD commander has been withdrawn."[7]

While statements like the foregoing appear with a certain regularity, it has not been possible to examine the highly classified documents which contain the delegations on which they were based, and it is not possible to confirm whether current procedures include such delegations. Indeed, the official response of the Office of the Assistant Secretary of Defense (Atomic Energy) to our inquiry in this matter was that:

> Only the President can authorize the use of our nuclear weapons, and there are positive controls to preclude the use of such weapons without Presidential authority. The specific details of our nuclear release procedures are highly classified.[8]

History abounds with precedents supporting the power of the President to delegate his function as Commander in Chief to subordinates; indeed, broad delegation of command authority of the Active Forces to military officers has been the rule rather than the exception. Included in such delegations has been the authority to choose between alternate tactics, strategies, and choices of weapons.[9] Of course, the basic *responsibility* for general conduct of the war resides in the President, the Commander in Chief, under any circumstances.

Because nuclear weapons can wreak unprecedented havoc, there has arisen a popular belief that the President's authority to delegate authority for their use is more limited than in the case of conventional weapons. While such a proposition has a certain appeal, we have been unable to find any constitutional or statutory basis supporting it.

The realities of command and control in the nuclear age would seem to increase the necessity for prior delegation of authority under certain carefully defined conditions. For example, in the event that the President were disabled in a surprise attack and his lawful successor

---

[6] Kiker, Douglas. Atom Issue: President's Declaration. New York Herald-Tribune, Sept. 17, 1964: 6.
[7] Lokos, Lionel. Hysteria 1964. New Rochelle, N.Y., Arlington House, 1967. P. 47.
[8] Letter to the author from Lt. Comdr. L. P. Gebhardt, Office of the Assistant Secretary of Defense (Atomic Energy), dated Aug. 5, 1975.
[9] For a review of how several wartime Presidents have operated in this sphere, see E. May, ed., "The Ultimate Decision—The President as Commander in Chief." New York, George Braziller, 1960.

were not immediately accessible, a contingency plan, containing a delegation of authority to order the use of nuclear weapons under certain conditions, would seem to be a logical and prudent precaution—perhaps necessary to national survival.

And in situations where U.S. forces deployed overseas face potentially hostile nuclear-equipped forces, a President might deem it prudent to make a conditional, prior delegation of authority to use nuclear weapons in the event of surprise attack and a breakdown in communications.

In light of the foregoing, it is possible only to set forth a few general principles, based on the provisions of the Constitution and the applicable statutes.

Fundamental to a discussion of this issue is the constitutional provision: "The President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the actual Service of the United States * * *."[10]

In the absence of a specific congressional restriction, the vast authority of the President to conduct operations during a constitutionally initiated war is virtually unlimited. Thus, one noted constitutional historian has stated that "of all his powers, the most basic, spectacular, and injurious to private rights" is that which the President holds as Commander in Chief.[11]

This power necessarily includes the power of delegation. Section 301 of title 3, United States Code, provides that—

> The President of the United States is authorized to designate and empower the head of any department or agency in the executive branch, or any official thereof who is required to be appointed by and with the advice and consent of the Senate, to perform without approval, ratification, or other action by the President: (1) Any function which is vested in the President by law, or (2) any function which such officer is required or authorized by law to perform * * *.

But it would be wrong to conclude that the President's power of delegation is limited by the language of the statute just quoted. It provides, among other things, that: "Such designation and authorization shall be in writing, shall be published in the Federal Register * * *." In the present context, it seems particularly clear that the President's power to delegate cannot be made subject to a requirement of publication in the Federal Register. Although Executive orders which delegate authority generally cite 3 U.S.C. 301 as authority, in appropriate cases they also cite the authority of "President of the United States and Commander in Chief of the Armed Forces of the United States." It is generally conceded that these roles constitute a separate and distinct source of power, and that delegations made pursuant to the President's authority as Commander in Chief probably cannot constitutionally be made subject to limitations of the type spelled out in 3 U.S.C. 301.

However, there is another statute which must be considered in this connection. Section 91(b) of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2121(b)), provides that—

> The President from time to time may direct the (Atomic Energy) Commission: (1) To deliver such quantities of special nuclear material or atomic weapons to the Department of Defense for such use as he deems necessary in the interest of national defense * * *.

---

[10] U.S. Constitution, art. II, sec. 2.
[11] Clinton Rossiter, quoted in May, Ernest R., "The Ultimate Decision," p. 5.

Again, it seems clear that the President's decision to use nuclear weapons—or his delegation of the authority to make such a decision—is not limited by the provisions of the act. Further, the fact that the statute uses the phrase, "such as he deems necessary," does not prohibit or limit such a delegation.

The Atomic Energy Act also contains a prohibition against the "export" of an atomic weapon. In the last analysis, and especially where the survival of the Nation may be at stake, it seems unrealistic to suggest that a President, acting as Commander in Chief in time of war, would necessarily consider himself bound by such limitations.

Finally, it should be pointed out that lawsuits have been brought attacking the constitutionality of the Atomic Energy Act, although they have protested against atomic testing rather than the use of nuclear weapons. None of these cases is particularly relevant to the problem under discussion, and they are significant for present purposes only in that they fail to suggest any limitations on the authority which may be delegated under the Atomic Energy Act.

While the authority of the President to order the use of nuclear weapons in the event of a war involving the NATO alliance is generally consistent with the principles set out above, command and control of U.S. nuclear forces and weapons assigned to NATO in time of war are subject to other considerations which may complicate the determination of U.S. policy.

First, the United States has entered into an agreement with other members of the NATO Defense Planning Committee to follow certain consultation procedures—time and circumstance permitting—before ordering the use of nuclear weapons earmarked for NATO theater use.[12] Additionally, a substantial number of U.S. warheads are deployed in Europe for use by allied delivery vehicles under formal "programs of cooperation and stockpile agreements." [13]

While a factor the President would undoubtedly consider, the agreement to consult hardly constitutes a constraint on his authority; more accurately, the obligation would serve to influence the President's policy decision. There is little reason to doubt that the President would consult with the heads of government of the NATO allies if such consultations were not considered prejudicial to the national interest, including the protection of America and allied forces. Nevertheless, considering the nature of modern Soviet nuclear delivery vehicles, there might be a very limited time for such a decision. It is this reality which must have led to the inclusion of the "time permitting" condition in the NATO consultation guidelines.

But time limitation is not the only exception to the obligation of the allied nuclear powers to consult. These heads of government are not so obliged if, upon their consideration of the attendant circumstances, it is deemed necessary to order the use of nuclear weapons without such consultation. The United States and each other NATO nation with an independent nuclear capability retains the option to forgo consultations, if, in the sovereign judgment of the concerned government, circumstances—for example, the necessity for surprise—

---

[12] NATO Facts and Figures, Brussels, NATO Information Service, 1971, p. 91.

[13] According to a recent report by the Secretary of Defense, "* * * on Aug. 5, 1974, the United States had about 7,000 nuclear warheads deployed in Europe * * *. A substantial proportion (of these warheads) are deployed for use by allied delivery vehicles under programs of cooperation (POC's) and stockpile agreements." James R. Schlesinger, "The Theater Nuclear Force Posture in Europe," p. 6.

do not permit such consultation. The existence and importance of both exceptions are well known and understood by NATO member nations.

The simple fact is that NATO has remained an international and not a supranational organization. European NATO members remain a collection of middle-sized and small sovereign national states whose disparate interests make it difficult in many instances to gain the consensus required for action. Achieving a consensus on the use of nuclear weapons could be extremely difficult. However in the last analysis, as Secretary of Defense Schlesinger has stated, "the nuclear power or powers have the responsibility for making the decision on whether or not nuclear weapons will be used." [14]

Presidential authority to release U.S. nuclear warheads to NATO allies for their use must be considered in a slightly different context These warheads are closely held by U.S. military custodial units, and, according to Secretary of Defense Schlesinger, will remain in U.S. custody until released by the President in time of war.

The President's authority to transfer nuclear warheads to the country for which they are earmarked might appear to be limited by a provision of the Atomic Energy Act of 1954. That act provides, in part:

> It shall be unlawful, except as provided in section 91 of this act, for any person to transfer or receive in interstate or foreign commerce, manufacture, produce, transfer, acquire, possess, import, or export any atomic weapon * * *.

However, another provision of the same act provides that:

> Any provision of this chapter or any action of the [Atomic Energy] Commission to the extent and during the time that it conflicts with the provisions of any international arrangement made after August 30, 1954, shall be deemed to be of no force or effect.[15]

Since transfer of these earmarked weapons would presumably occur pursuant to an "international arrangement made after August 30, 1954," the ban prohibiting the export of nuclear weapons would not appear to be controlling. Further, as has been previously noted, any possible limitation of the President's power as Commander in Chief expressed or implied in this provision would undoubtedly be overridden.

NATO planning does contemplate a delegation of the President's authority to order the use of theater nuclear weapons to the Supreme Allied Commander Europe (SACEUR) under certain wartime conditions. SACEUR is, in theory at least, responsible to the collective governments represented in the NATO Defense Planning Committee. It is significant, however, that SACEUR also serves as the U.S. Com-

---

[14] Nuclear Weapons and Foreign Policy, hearings before the Subcommittee on U.S. Security Agreements and Commitments Abroad and the Subcommittee on Arms Control, International Law and Organization of the Senate Committee on Foreign Relations, 93d Cong., 2d sess., p. 157. Secretary Schlesinger's statement regarding consultation is reprinted in appendix 1. Also of significance is a 1973 staff report prepared for another subcommittee of the Senate Committee on Foreign Relations, excerpted in appendix 2.

[15] An exhaustive review of the act's legislative history throws no light on the question of how Congress intended that the two provisions would interact, or how the predecessor sections in the 1946 statute would interact. For a brief discussion, see p. 9357 of the Congressional Record for July 18, 1946; also S. Rept. 1699, 83d Cong., pp. 19 and 21; H. Rept. 2181, 83d Cong., pp. 19 and 21. The most detailed reference to the problem is in the Senate report on the 1946 act: "The committee recognizes that the ultimate solution to the problems posed by the development of nuclear energy and atomic weapons lies in the adoption of effective and enforceable international safeguards. The bill therefore seeks to create a system of domestic control designed to protect the common defense and security, without constituting an obstacle to the attainment of satisfactory international controls." S. Rept. 1211, 79th Cong., p. 23. Finally, as a further illustration of this paper's principal thesis—namely, that control over nuclear weapons is exclusively in the President—reference may be had to the committee's statement that "In view of their enormous military significance, atomic weapons are subject, under this bill, to full control by the President as Commander in Chief. All determinations as to production rates, custody, and transfers are to be made by him." Ibid., p. 19.

mander in Chief, Europe, and, in the latter capacity, has always been in the U.S. chain of command. The question of whether SACEUR, as a NATO commander, could order the employment of U.S. theater nuclear forces in a manner not consistent with the President's desires is most sensitive, but it seems clear that the President's orders would always control.

There have been frequent assurances from officials of the executive branch that the ultimate decision on the use of U.S. nuclear weapons will always lie with the President. The basis documents, if any, which spell out the procedures through which the U.S. President will retain positive control, even after U.S. Forces are assigned to SACEUR, are highly classified and have not been examined. In any event, it would not appear to be constitutionally permissible for the President to transfer his responsibilities as Commander in Chief, particularly if the transferee were responsible, in part or in whole, to the governments of other sovereign states.

Appendix 1

CONSULTATION [16]

The fact that nuclear weapons could be launched from or used on allied soil necessitates the closest type of dialogue and coordinated planning between the United States and the allies. We recognized early on that the need for close consultation within NATO would be essential to alliance solidarity and our collective security.

Accordingly, in 1962 the alliance established what has become known as the Athens Guidelines, which deal with the question of consultation in a variety of situations involving aggression against NATO. Subsequent elaborations of the Guidelines provided that special weight be accorded the views of those NATO countries on or from whose territory nuclear weapons would be employed, countries providing the nuclear warheads, or the countries providing or manning nuclear delivery systems. The necessity of avoiding inflexible or overly elaborate procedures which might inhibit action or endanger the credibility of the deterrent also was recognized.

In accord with these principles, procedures and channels were established through which national capitals could be consulted and would be able to transmit their views through the North Atlantic Council or the NATO Defense Planning Committee (DPC) to the nuclear powers, or directly capital to capital. Requests for use of nuclear weapons in defense of NATO by a member government or major NATO commander, or a proposal to use weapons by a nuclear power, would be communicated directly to NATO governments and to the Council/DPC. The focal point for consultation normally would be the Council/DPC, where interest likely would center on the political and military objectives and consequences of the proposed use and nonuse. The views of countries expressed there would be communicated to the nuclear power or powers concerned by the fastest means available.

---

[16] Statement of Secretary of Defense James R. Schlesinger, Nuclear Weapons and Foreign Policy, hearings before the Subcommittee on Arms Control, International Law and Organization of the Committee on Foreign Relations, U.S. Senate, 93d Cong., 2d sess., Apr. 4, 1974, pp. 156–157.

60-993 O - 75 - 3

Two additional points should be made. First, it is well understood that the agreed consultation procedures would be exercised, time and circumstances permitting. Second, the nuclear power or powers have the responsibility for making the decision on whether or not nuclear weapons will be used. That decision in then transmitted to the major NATO commander(s) and to the NATO governments and their representatives at the NAC/DPC.

Naturally, the nuclear consultation process is woven into the ongoing process of general consultation in time of crisis. NATO countries would be consulting from the earliest stages of any crisis, hopefully before commencement of hostilities. In this manner, nuclear considerations would mesh with the structure of general consultation already in process.

I might add here that consultation with our allies about nuclear weapons and policy is of course not limited to periods of crisis. As I mentioned earlier, the Nuclear Planning Group has provided an excellent mechanism for conducting a continuing dialog on these matters. By facilitating such a dialog in peacetime, the NPG fulfills a key purpose of familiarizing NATO Ministers with the kinds of information and questions that would be relevant to consultation on the possible use of nuclear weapons.

Appendix 2

F. Guidelines for NATO Consultation on Nuclear Weapons [17]

In 1969, NATO drew up agreed general guidelines for consultation procedures on the use of nuclear weapons. These guidelines proceeded from three decisions that had already been taken. The first decision was taken at the Athens meeting of the North Atlantic Council in 1962 and produced what were called the "Athens Guidelines." The second decision was taken at The Hague in April 1968 by members of NATO's Nuclear Planning Group. The third was taken in London in May 1969 at a ministerial meeting of the Nuclear Planning Group.

In brief, NATO doctrine is that in the event of a Soviet attack with nuclear weapons in the NATO area, the alliance would respond with nuclear weapons on the scale appropriate to the circumstances. Consultation would [deleted]. In the event of a full scale Soviet attack with conventional forces, indicating the opening of general hostilities in any sector of the NATO area, the forces of the alliance would if necessary, respond with nuclear weapons on the scale appropriate to the circumstances. Again consultation would [deleted]. In the event of a Soviet attack which did not fulfill the conditions described in the first two cases, but which nevertheless threatened the integrity of the forces and the territory attacked and which could not be successfully held with the existing conventional forces, the decision to use nuclear weapons would be subject to prior consultation in the North Atlantic Council. In all cases, special weight would be given to the views of the NATO country most directly affected—that is, the country on, or from, whose territory nuclear weapons would be employed; the country or countries providing the nuclear warheads; and the country or countries providing or manning the contemplated means of delivery.

---

[17] *U.S. Security Issues in Europe: Burden Sharing and Offset, MBFR and Nuclear Weapons*, a staff report prepared for the use of the Subcommittee on U.S. Security Agreements and Commitments Abroad of the Committee on Foreign Relations, U.S. Senate, committee print, 93d Cong., 1st sess., Dec. 2, 1973, pp. 19–20.

As far as consultation procedures are concerned, any request for the use of nuclear weapons in the defense of NATO either from a member government or from a major NATO commander, and any possibility for the use of nuclear weapons in defense of NATO by a nuclear power, would be communicated immediately to the NATO governments and to the Defense Planning Committee (composed of all NATO members except France). The normal forum for consultation would be the Defense Planning Committee where member governments would be able to express their views, in particular on the political and military objectives of the proposed use of nuclear weapons, the methods of use and the possible consequences either of use or nonuse. These views would then be communicated to the nuclear power concerned, and the decision of the nuclear power would be conveyed to the allied governments, the North Atlantic Council and the major NATO commanders. U.S. officials estimate that this consultation procedure could be accomplished in [deleted].

SACEUR would thus not be permitted to use nuclear weapons unless there were consultations with NATO member governments directly and with NATO itself through the Defense Planning Committee. But the converse does not apply, because no NATO body has the authority to order SACEUR to use nuclear weapons. The release of nuclear weapons can only be authorized by the President of the United States (or, for British weapons, the British Prime Minister). Before releasing or ordering the use of nuclear weapons in Europe, the President is bound to consult if time and circumstances permit.

In a technical sense, the President cannot order SACEUR (who is simultaneously the allied commander responsible to NATO's Defense Planning Committee as well as the commander, U.S. Forces in Europe) to fire a nuclear weapon; he can only release the weapon to him (although he can unilaterally direct the same commander, in his national capacity as commander of U.S. forces in Europe, to employ nuclear weapons). SACEUR would then regard the President's decision to release a nuclear weapon to him as a valid reflection of NATO's collective interest and will, although the release is not a command so that SACEUR would still retain discretion as to whether or not to fire the weapon. The NATO guidelines do not explicitly cover [deleted]. Nor do they provide guidance for situations in which [deleted].

The agreed NATO guidelines state that in times of crisis the procedures for general consultation should be set in motion at the earliest possible stage in the crisis—[deleted]. We were told at SHAPE that in most NATO procedural exercises the decision to use nuclear weapons is usually reached [deleted].

UNITED KINGDOM*

Summary

While final authority in the United Kingdom rests in the Parliament, in practice the Prime Minister, advised by the Cabinet, is entrusted with responsibility for directing the defense of the state. According to the British Government, "The final decision about their [nuclear weapons] use rests solely with the British Prime Minister." If the question of use arose, the extent of the Prime Minister's consultations with the Cabinet and the Sovereign would depend on the circumstances, particularly the time available.

It has not been possible to ascertain from the public record whether secret contingency plans exist which would, in extreme circumstances, allow military commanders to initiate the use of nuclear weapons. Circumstances suggest the desirability of minimum delegation beyond the office of the Prime Minister, but it is conceivable, for instance, that certain British military commanders might have prior authorization to use nuclear weapons in extreme cases, such as the total disruption of established command and control procedures in an ongoing military crisis or conflict.

A significant part of the British tactical nuclear arsenal can be employed only with the consent of the U.S. Government because the warheads were supplied by the United States and, as required by U.S. law, remain under U.S. control. In addition, the question of use of nuclear weapons by British forces assigned to NATO in wartime would be subject to NATO consultation procedures, time and circumstances permitting.

Britain's Nuclear Capability

The British nuclear capability—both warheads and delivery systems—has been developed through extensive cooperation with and dependence on the United States. The British strategic nuclear force consists of 4 Polaris submarines, each with 16 ballistic missile launch tubes. The submarines, launchers, and missiles are spinoffs of the U.S. strategic program.[1] The British Government, through its Embassy in Washington, has told CRS that "Polaris remains committed to NATO except in circumstances where NATO ceases to be effective." The warheads, however, are under British control. Great Britain does not need U.S. approval to launch a nuclear weapon from its Polaris force.[2]

Great Britain also possesses atomic bombs and an array of tactical nuclear weapons. As one author has pointed out, "by the early sixties the tactical nuclear capability in British hands in Europe was im-

---

* Prepared by Stanley R. Sloan, Analyst in European Affairs, Foreign Affairs Division, Sept. 29, 1975.
[1] Groom, A. J. R. "British Thinking About Nuclear Weapons." London, Frances Pinter, 1974. P. 595.
[2] Brown, Neville. "Arms Without Empire." Baltimore, Penguin Books, 1967. P. 100.

pressive.* * * The actual hardware which formed this capability was of U.S. origin and subject to U.S. control.* * * Only with bomber command did the British have the independent ability to nuclearize a situation in Central Europe—a capability not without significance." [3] In 1967, another author suggested that nuclear weapons carried in Royal Air Force aircraft were "wholly under British control." [4] Whether this is the case or not, it is apparently true that at least some of the nuclear weapons available for use by British aircraft are free of the U.S. veto. The British capability, as evaluated by the International Institute for Strategic Studies,[5] includes the following systems capable of a tactical nuclear role:

Systems whose warheads are under U.S. custody and control:
Honest John unguided rocket (being replaced by U.S. Lance rocket).
M–110 8-inch self-propelled and towed howitzers.
Systems whose warheads are under either United States or United Kingdom control:
Vulcan medium range bomber
F–4, Buccanneer, and Jaguar strike aircraft.

Command and Control

While final authority in the United Kingdom rests in the Parliament, in practice the Prime Minister, advised by the Cabinet, is entrusted with responsibility for directing the defense of the state. The Official British Handbook for 1975 says: "Supreme responsibility for national defense rests with the Prime Minister and the Cabinet, who are responsible to Parliament. Defense problems and their relationship with foreign and economic policy are dealt with on the Cabinet's behalf by the Committee on Defense and Overseas Policy, under the chairmanship of the Prime Minister." [6]

In response to a CRS query, the British Government through its Embassy in Washington made the following statement about authority in Great Britain over the use of nuclear weapons: "The Secretary of State for Defense said in Parliament in July 1974 that the whole of the United Kingdom's nuclear capability is committed to NATO and that our weapons remain subject to political control through alliance consultations procedures and could in no circumstances be used without the consent of British ministers. The statement applies to the British Polaris force and to U.S. weapons stored in the United Kingdom for United Kingdom use. *The final decision about their use rests solely with the British Prime Minister.*" [7]

It seems reasonable to assume that the Prime Minister, before ordering the use of nuclear weapons, would attempt to hold consultations within his government before issuing such an order. In a crisis situation, the extent of consultations undertaken by the Prime Minister before authorizing the use of nuclear weapons would presumably depend on the circumstances, particularly the time available. The practice of collegial decisions is more a part of the British parliamentary cabinet than of the U.S. Presidential system. In certain cir-

---

[3] Groom. op. cit., p. 513.
[4] Brown. op. cit., p. 115.
[5] International Institute for Strategic Studies. "The Military Balance 1974–75." London, 1974. Pp. 76–77.
[6] Her Majesty's Stationery Office. Britain, Official Handbook, 1975. London, 1974. P. 112.
[7] Italic supplied.

cumstances, however, a Prime Minister might not be able to hold Cabinet consultations. In the case of an enemy attack requiring retaliation by the United Kingdom's strategic force, the time could be severely limited. In other cases, however, some warning and possibly a period of conventional hostilities might precede such a decision, allowing a somewhat longer time for consultations. The Prime Minister might in any case feel obligated to discuss the recommended course of action with the Queen (or King) in the sovereign's role as head of state.

While the British Government has stated (see above) that the final decision about the use of nuclear weapons rests solely with the British Prime Minister, the question remains whether secret contingency plans exist which would, in extreme circumstances, allow military commanders to initiate the use of nuclear weapons. During the 1950's, when the West had clear nuclear superiority over the Soviet Union, it was argued both in Washington and London that field commanders should be given some flexibility, granted in contingency or ers, to determine whether or not defense of their units required the use of nuclear weapons.[8] The British perception of the inability of their own conventional forces, even in concert with other NATO forces, to mount a credible conventional defense against a Soviet attack in Europe also argued for some flexibility for field commanders. According to A. J. R. Groom, "some recognition of the latter problem [of conventional weakness] was made in an Anglo-American proposal to the NATO meeting in Athens in May 1962 that NATO commanders in the field should be in a position to prescribe the use of tactical nuclear weapons under certain circumstances by authority delegated a short while in advance. Thus the view of the United States appeared to be approaching that of *British action policy* in virtually dispensing with the conventional pause, given that few commanders were likely to risk being overrun." [9]

But with the emergence of rough nuclear parity between East and West, the initiation of nuclear combat, even at the tactical level, took on new meaning. The doctrine of flexible response, adopted as NATO strategy in 1967 after nearly 5 years of prodding by the United States, called (among other things) for the strengthening of conventional forces with the aim of confining the level of conflict to the use of conventional arms or of lengthening the period of time before NATO would be compelled to resort to tactical nuclear weapons. Flexible response in this respect puts a high premium on the management of the level of conflict. It makes imperative a tight system of control over battlefield tactics and assurance that any escalation to nuclear weapons will be deferred as long as possible.[10] In this connec-

---

[8] U.S. Congress. Senate. Nuclear weapons and foreign policy. Hearings before the Subcommittee on U.S. Security Agreements and Commitments Abroad and the Subcommittee on Armed Control, International Law and Organization. Statement of Dr. Morton H. Halperin, p. 17.

[9] Groom, op. cit., p. 517 (italic supplied).

[10] As one expert has put it: ". . . it is doubtful whether in a military conflict in which both sides are using nuclear weapons, the required political and military control of these weapons could be guaranteed. . . . A political control of the use of TNW sufficiently flexible to take into account the actual military situation seems far from assured if one considers the time likely to be needed for the conveyance of detailed military information and for the process of political consultations in NATO. . . . Time could only really be saved by delegating the release authority to the military commander, but the delegation of political responsibility, or even the predefinition of binding rules to apply in the event for political consultation seem for the present to be politically unattainable." Heisenberg, Wolfgang. The Alliance and Europe; Part I: Crisis Stability in Europe and Theatre Nuclear Weapons. London, International Institute for Strategic Studies, Adelphi Papers, 1973, p. 16.

tion, Britain is acutely aware that by itself it has relatively limited means of conducting nuclear war.

These circumstances suggest the desirability of minimum delegation of authority to use nuclear weapons beyond the office of the Prime Minister and in any case of very strictly defining any such authority that is delegated. It is conceivable, for instance, that certain British military commanders might have prior authorization to use nuclear weapons in extreme cases, such as the total disruption of established command and control procedures in an ongoing military crisis or conflict. Tending to constrain delegation of authority, however, are certain political considerations such as the reluctance of a Labor government, because of the traditional antimilitaristic views of its left wing, to expand the authority of British military officers.

External Constraints

As mentioned earlier, the United Kingdom has a number of warheads under exclusive British control, including the Polaris weapons, which a British Government could use to initiate nuclear warfare without external approval or consultations, should it so desire. The maintenance of an independent nuclear capability remains important to Great Britain in terms of national prestige. But British defense policy is founded on a close bilateral relationship with the United States and multilateral ties with the United States and the other allies in NATO. Only in extreme cases, including that of an imminent nuclear attack on the British Isles, would Great Britain be likely to use nuclear weapons without advance consultation with the United States and other allies.

Most of the warheads for the British tactical nuclear force are of U.S. origin and under U.S. control. They can be used only with the approval of the U.S. Government. Furthermore, the British forces using them are earmarked for assignment to NATO. In the NATO framework, the use of nuclear weapons by British forces assigned to the Supreme Allied Commander, Europe (SACEUR) requires a specific order from him. SACEUR must obtain permission from political authorities—the NATO Council and member governments.[11] Although Britain would have the option of not assigning its forces to SACEUR, the chances that the United Kingdom would hold back its forces earmarked for NATO in the case of a war in the NATO area seem slim indeed.[12]

The NATO allies, meeting in Athens in 1962, agreed on a set of rules governing allied consultations on the use of nuclear weapons—the "Athens Guidelines." The guidelines, which are classified, have been elaborated in the intervening years. U.S. Secretary of Defense James Schlesinger described the guidelines in the following terms in testimony before subcommittees of the Senate Foreign Relations Committee in 1974:

> * * * in 1962 the Alliance established what has become known as the Athens Guidelines, which deal with the question of consultation in a variety of situations involving aggression against NATO. Subsequent elaborations of the Guidelines

---

[11] Hansard; House of Commons, vol. 629, cols. 34–5x, 8. xi 60, Joseph Godber, Joint Under Secretary of State for Foreign Affairs.

[12] Most NATO forces remain under national command "earmarked" for NATO unless and until member countries decide to "assign" them to the NATO command, as would be expected in time of war.

provided that special weight be accorded the views of those NATO countries on or from whose territory nuclear weapons would be employed, countries providing the nuclear warheads, or the countries providing or manning nuclear delivery systems. The necessity of avoiding inflexible or overly elaborate procedures which might inhibit action or endanger the credibility of the deterrent also was recognized.

In accord with these principles, procedures and channels were established through which national capitals could be consulted and would be able to transmit their views through the North Atlantic Council or the NATO Defense Planning Committee (DPC) to the nuclear powers, or directly capital to capital. Requests for use of nuclear weapons in defense of NATO by a member government or major NATO commander, or a proposal to use weapons by a nuclear power, would be communicated directly to NATO governments and to the Council/DPC, where interest likely would center on the political and military objectives and consequences of the proposed use and nonuse. The views of countries expressed there would be communicated to the nuclear power or powers concerned by the fastest means available.

Two additional points should be made: First, it is well understood that the agreed consultation procedures would be exercised, time and circumstances permitting. Secondly, the nuclear power or powers have the responsibility for making the decision on whether or not nuclear weapons will be used.[13]

Thus, the members of the NATO Defense Planning Committee, including Great Britain, have agreed to certain "consultation procedures" concerning the use of nuclear weapons in the case of aggression against NATO unless time and circumstances do not allow such consultations to take place. But the ultimate decision rests with the nuclear powers, in this case the United Kingdom.

---

[13] U.S. Congress. Senate. op. cit., p. 157.

FRANCE*

Summary

Under the constitution of the French Fifth Republic, the President is commander of the Armed Forces. As such, and through subsequent decree law, he commands both the strategic and tactical nuclear forces, and a decision to employ either requires his explicit approval. There are at present no treaties or external obligations which would limit the authority of the French Government over the use of nuclear weapons.

France's Nuclear Capability

The French decision to become a nuclear power dates back to the 1950's and the Fourth Republic; France developed a nuclear weapons capability under De Gaulle and the Fifth Republic. The initial goal of France's nuclear program was to develop a strategic nuclear capability which would enhance France's political prestige and its military security. Militarily, the force served largely as a mechanism to help guarantee that any Soviet attack on Europe would be met with a nuclear response, thus hopefully dissuading the Soviets from attacking Europe with their superior conventional forces. The French strategic nuclear force consists of 18 land-based intermediate range ballistic missiles, 48 submarine-launched ballistic missiles and weapons carried on the Mirage IV aircraft.[1]

Only late in the 1960's did French strategic thinking begin to accept the need for a flexible nuclear response capability, already doctrine for the United States and the other NATO allies. Flexible response called for a broader range of choices of responses to a Soviet attack. In the late sixties, France thus undertook to develop a tactical nuclear capability and delivery system. This system—the Pluton surface-to-surface missile on a mobile launcher with a range of 60 to 70 miles—is now being deployed with French Army units near France's border with West Germany. When fully deployed the system reportedly will include 120 missiles with 10 to 15 kiloton warheads.[2] France probably also has some Mirage and Jaguar aircraft configured for a tactical nuclear role.

Command and Control

The Constitution of the Fifth French Republic provides that the President of the Republic is the commander of the Armed Forces:

> Article 15. The President of the Republic is commander of the Armed Forces. He shall preside over the high councils and committees of national defense.[3]

---

* Prepared by Stanley R. Sloan, Analyst in European Affairs, Foreign Affairs Division, Sept. 19, 1975.

1 International Institute for Strategic Studies. The Military Balance 1974–75. London, 1974. Pp. 76–77.

2 Pretty, R. T. and Archer, D. H. R., ed. Jane's Weapon Systems, 1974–75. London, Jane's Yearbooks, 1974. Pp. 36–37.

3 Translations from DeVries, Henry P. Materials for the French Legal System 12 (1969).

Article 16 of the constitution is more specific about the nature of the President's responsibilities to the Republic and the Nation:

Article 16. When the institutions of the Republic, the independence of the Nation, the integrity of its territory, or the fulfillment of its international commitments are threatened in a grave and immediate manner and when the regular functioning of the constitutional governing authorities is interrupted, the President of the Republic shall take such measures as the circumstances require, after consultation with the Premier, the presidents of the assemblies, and the Constitutional Council.

He shall inform the Nation of these measures in a message.

These measures must be actuated by the desire to insure to the constitutional governing authorities, in the shortest possible time the means of fulfilling their assigned functions. The Constitutional Council shall be consulted regarding such matters.

Parliament shall convene as of right.

The National Assembly may not be dissolved while the extraordinary powers are being exercised.[4]

While the Constitution thus clearly made the President the ultimate arbiter of French defense policy, the Premier was responsible for the execution of national defense. His responsibilities in time of war were elaborated in decrees of July 18, 1962. These decrees left some ambiguity as to who would actually make the final judgments concerning the use of the strategic nuclear forces. And so, on January 14, 1964, a further decree specified quite clearly that the strategic nuclear forces, then coming into being, would be under the control of the President. As one French defense expert has written: "The decree conferred in effect the power of final decision on the President of the Republic as 'president of the defense committee and commander in chief' in matters concerning the engagement of the strategic air forces, that is to say the French nuclear force de frappe."[5] The Premier would assume the responsibility only if the President were disabled.[6]

Further decrees issued on December 10, 1971, acknowledged the command parallel between France's strategic and tactical nuclear capabilities. The decrees provided in part that the "ministre des Armees" in time of war would "insure the command of all military operations, *under the particular limitations concerning the strategic nuclear force and the tactical nuclear arms for which special procedures are defined.*"[7] It is logical to assume that—as with strategic nuclear forces—the decision to use tactical nuclear weapons remains in the hands of the President. As one analyst sees it: "* * * tactical atomic weapons will be directly related to the overall French strategy of nuclear deterrence which is now moving away from all-or-nothing thinking toward a flexible or graduated response strategy designed to test out the enemy before resort to strategic nuclear arms. *Control over the use of tactical nuclear arms will therefore remain in the hands of the head of state and will not be delegated to field commanders.*"[8]

France has also provided for continuing civilian control over nuclear weapons during conflict. As Kohl has said of the Mirage system: "As a security measure, there are two distinct command chains between the President, the commander of the CAS (Commandement

---

[4] Ibid.
[5] Girardet, Raoul. Problemes Contemporains de Defense Nationale. Paris, Dalloz, 1974. Pp. 160 (CRS analyst's translation).
[6] Kohl, Wilfrid L. French nuclear diplomacy. Princeton, Princeton University Press, 1971. Pp. 182.
[7] Girardet, op. cit. p. 161 (CRS analyst's translation; italic supplied).
[8] Kohl. op. cit. p. 191 (italic supplied).

des Forces Aeriennes Stratégiques) and the Mirage IV pilots. Separate sets of orders must be issued to activate the planes and later the atomic weapons. Detailed war plans apparently exist to send the planes first to points over friendly or neutral countries for aerial refueling, before they proceed to preselected Soviet targets. The planes are also equipped with "black boxes" that can be activated directly by remote control signals from the civilian political authority to neutralize the atomic bombs, as an added safety measure." [9]

It can be assumed that equally rigid controls have been provided for France's tactical nuclear force as well as her submarine and land-based strategic missile force.

External Constraints

There are at present no external constraints through treaty or other obligations which inhibit a French decision to use nuclear weapons. France had in the past flirted with the possibility of nuclear cooperation, first in terms of a United States-United Kingdom-French nuclear triumvirate in the late 1950's and then in terms of a European force based on the French force de frappe in the early 1960's. Both options would have limited France's decisionmaking independence. But the French opted for national independence in nuclear defense questions by leaving NATO's integrated military structure in 1967. The development of a French tactical nuclear capability nonetheless poses serious problems both for France and NATO. The various tactical nuclear forces in NATO are closely coordinated, but the French force, in the absence of some working arrangements with West Germany and NATO, remains located in France, useful only if Soviet forces have already penetrated far into West Germany. France may at some point in the future be willing to work out cooperative arrangements with NATO and the West Germans that would permit more rational stationing of the Pluton system and closer coordination with employment plans of the other NATO countries. To do so, of course, would place some qualifications on French freedom to employ the system.

---

[9] Kohl. op. cit. p. 182.

THE SOVIET UNION*

Summary

Although the location in the Soviet Government of the authority to initiate the use of nuclear weapons is not spelled out in published Soviet sources, Western experts on Soviet military affairs believe that power rests in the Communist Politburo. In the present situation, where the collegiate power of the Politburo is dominated by the Communist Party's General Secretary, the key figure is Leonid Brezhnev. There is no available information about contingency arrangements whereby the authority to order the use of nuclear weapons under specifically defined battle conditions can be delegated to subordinate officials or field commanders. Soviet strategy calls for a capability not only to deter its potential enemies from attacking it but to wage a nuclear war and win it.

The location in the Soviet Government of the authority to order the use of strategic or tactical nuclear weapons is not spelled out in published Soviet sources.

The Soviet constitution deals with the question of authority over military policy and operations only in the most general terms. Article 14 reads in part as follows:

> The jurisdiction of the Union of Soviet Socialist Republics as represented by its higher organs of state administration embraces:
>
> * * * * * * *
>
> b. questions of war and peace. * * *
>
> g. organization of the defense of the U.S.S.R., direction of all the Armed Forces of the U.S.S.R., determination of directing principles governing the organization of the military formations of the Union Republics.[1]

Some aspects of the relationship between the Communist Party, the effective center of political power in the Soviet Union, and the military are shown by section VIII of the "Rules of the Communist Party of the Soviet Union." The section, which is entitled, "Party Organization in the Soviet Army," reads as follows:

> 64. Party organizations in the Soviet Army take guidance in their work from the program and the rules of the CPSU and operate on the basis of instructions issued by the Central Committee.
>
> The party organizations of the Soviet Army carry through the policy of the party in the Armed Forces; rally servicemen around the Communist Party; educate them in the spirit of Marxism-Leninism and boundless loyalty to the socialist homeland; actively further the unity of the Army and the people; work for the strengthening of discipline; rally servicemen to carry out the tasks of military and political training and acquire skill in the use of new techniques and weapons, and irreproachably to perform their military duty and the orders and instructions of the command.

---

* Prepared by Edward T. Lampson, Specialist in European Affairs and Pamela Houghtaling, Analyst in European Affairs, Foreign Affairs Division, Sept. 18, 1975.

[1] Hazard, John. The Soviet System of Government. Third edition. Chicago. The University of Chicago Press, 1964. Pp. 223–224.

65. The guidance of party work in the Armed Forces is exercised by the Central Committee of the CPSU through the chief political administration of the Soviet Army and Navy, which functions as a department of the CC CPSU.

The chiefs of the political administrations of military areas and fleets, and chiefs of the political administration of armies must be party members of 5 years' standing, and the chiefs of political departments of military formations must be party members of 3 years standing.

66. The party organizations and political bodies of the Soviet Army maintain close contact with local party committees and keep them informed about political work in the military units. The secretaries of military party organizations and chiefs of political bodies participate in the work of local party committees.[2]

Section VIII does not reflect the total relationship between the Politburo and the military high command because it deals only with the political role of the party in the Armed Forces. However, a more comprehensive description of the power of the Politburo over the military high command can be found in the book, "Soviet Military Strategy," edited by Soviet Marshal Sokolovskii, published by the Soviet Ministry of Defense, and translated into English in 1963. The pertinent passage reads as follows:

> The whole country and the Armed Forces will be led in wartime by the Central Committee of the Communist Party of the Soviet Union, possibly with the organization of a higher agency of command for the country and Armed Forces. To this higher agency of command may be delegated the same powers the State Defense Committee held during the Great Patriotic War; its presiding officer may be the First Secretary of the Central Committee of the Communist Party of the Soviet Union and head of the Government to whom the functions of Supreme Commander in Chief of all the Armed Forces may be assigned.[3]

A leading Western expert on Soviet military affairs, Malcolm Mackintosh, consultant on Soviet affairs to the International Institute for Strategic Studies, in a recent article on Soviet military influence on foreign policy, discusses in greater detail the role of the Politburo as follows:

> Clearly, the Politburo is the decisionmaking body with respect to both defense and foreign affairs in the Soviet Union, and traditionally the General or First Secretary of the Central Committee of the Communist Party of the Soviet Union (CPSU) has assumed top responsibility for directing Soviet foreign and defense policies. This is as true of Brezhnev today as it was of Khrushchev and Stalin. * * * We may assume from what we know of the Soviet system that only the Politburo can make a decision to go to war, to send troops into a foreign country (as in the case of Czechoslovakia in 1968), to deploy combat units (as in case of Egypt in 1970, *or to use nuclear* weapons." [4]

There is no available information about contingency arrangements whereby the authority to order the use of nuclear weapons under specifically defined battle situations can be delegated to subordinate officials or field commanders. However, in view of the nature of the potentialities of modern war, this possibility cannot be excluded. It may therefore be of some interest to indicate the names of the top officials dealing with military decisions and to describe briefly the organization of nuclear forces in the Soviet Union. Organization charts of the Politburo and the Secretariat of the Communist Party Central Committee and of the Ministry of Defense and the Military Council of the Strategic Rocket Forces are provided in appendix A. These charts contain the names of the current incumbents of leading positions in these organizations.

---

[2] Ibid., p. 260.

[3] Soviet Military Strategy, edited by Marshal of the Soviet Union V. D. Sokolovskii. Translated and with an analytical introduction, annotations, and supplementary material by Herbert S. Dinerstein, Leon Goure, and Thomas W. Wolfe, The Rand Corp., Santa Monica, Calif. 1963. P. 494.

[4] Mackintosh, Malcolm. The Soviet Military Influence on Foreign Policy. Problems of Communism. September-October 1973. P. 2 (italic supplied).

State Department expert on Soviet military affairs Raymond Garthoff gives the names of the present members of what may be the highest body dealing specifically with military and defense matters, the Supreme Defense Council. The membership includes General Secretary Brezhnev (Chairman), Prime Minister Aleksei N. Kosygin, Chairman of the Supreme Soviet Presidium Nikolai V. Podgorny, Party Secretary Dmitri E. Ustinov (candidate member of the Politburo), and Minister of Defense Andrei A. Grechko. All except Ustinov are full members of the Politburo. Others are called upon to attend meetings on occasion.[5] The Council apparently does not have the formal powers of the U.S. National Security Council but seems to consist of the inner Politburo group of men who handle defense questions. As a member of the Politburo KGB Chief Uri Andropov would presumably also exercise considerable influence on Politburo decisions regarding nuclear questions because of the role of KGB troops in nuclear affairs (see below).

In view of the scanty information about this subject, a brief summary of the roles of various branches of the Soviet governmental and military establishment in the management of nuclear matters, as far as this is known to specialists in Soviet military affairs, may be pertinent.

The Ministry of Medium Machine Building, one of the eight defense-related ministries subordinate to the Council of Ministers, "is believed to be the administrator of the Soviet atomic energy program." [6]

According to Col. William F. Scott, an American specialist in Soviet military affairs, special troops of the KGB (Troops of the Committee of State Security) "guard and control the Soviet stockpiles of nuclear weapons. KGB troops also provide high-level communications between the Party leadership and the military forces, as well as certain communications within the Ministry of Defense" although the KGB is not part of Marshal Grechko's Ministry of Defense. "Hence, when one considers the release of nuclear weapons to Soviet aerospace forces, as well as other aspects of command and control, the KGB troops are a significant factor." [7] Since the Ministry of Medium Machine Building is also described as "custodian of the country's nuclear weapons stockpiles," [8] the roles of the Ministry and the KGB are not clear. The Ministry may stockpile weapons it produces under the custody and, possibly, the control of the KGB, or the Ministry may have full custody until the weapons are turned over to the military (as is the case with the Energy Research and Development Agency in the United States).

Created in 1959, the Strategic Rocket Forces constitute the main Soviet nuclear force. Assigned land-based missiles with ranges greater than 1,000 kilometers, this command consists of approximately 350,000 men, the elite of the Soviet Armed Forces. "Security with respect to the Strategic Rocket Forces is so tight that even the identification of its personnel is kept secret, except for a few members of the senior staff." [9] Personnel do not wear identifying uniforms. The commander

---

[5] Garthoff, Raymond L. Salt and the Soviet Military. Problems of Communism. January-February 1975. P. 29.

[6] Gallagher, Matthew P. and Karl F. Spielman, Jr. Soviet Decisionmaking for Defense: A Critique of U.S. Perspectives on the Arms Race. New York, Praeger, 1972. P. 20.

[7] Scott, William F. Soviet Aerospace Forces and Doctrine. Air Force Magazine. March 1975. P. 33.

[8] Gallagher, op. cit. P. 20.

[9] Scott, op. cit. P. 35.

in chief of this group, V. F. Tolubko, appears to enjoy greater prestige than his counterparts in the other four services.

In conclusion, a brief summation of Soviet views about nuclear strategy may provide some idea of the context in which a Soviet command to use weapons might be issued.

A recent book by well known American specialists in Soviet affairs which deals with the role of nuclear weapons in current Soviet strategy comments on Soviet views about a conventional war between the United States and the U.S.S.R. After stating that the Soviets consider that such a war would "most likely escalate into general war," the book goes on to say:

> While the Soviets require their armed forces to be flexible in the use of either category of weapons [conventional or nuclear], they also argue that in view of the unlimited aims of both sides in a confrontation, the war is likely to lead to the use of all weapons. The Soviet view is reflected, for example, in the following statement by Grechko:
>
> "At the present stage the armed forces must be capable under any conditions to frustrate a surprise attack by the aggressor with the use of nuclear as well as conventional weapons and with rapid, devastating blows to destroy his main missile-nuclear weapons and troop formations, thereby assuring favorable conditions for the further conduct and victorious outcome of the war." [10]

Appendix A

Organization charts of the Politburo and the Secretariat of the CPSU Central Committee and of the Soviet Ministry of Defense and the Military Council of Command and Staff of the Strategic Rocket Forces follow:

CPSU CENTRAL COMMITTEE *
EXECUTIVE AND ADMINISTRATIVE APPARATUS

POLITBURO

MEMBERS

Yuriy Vladimirovich **Andropov**	(Chairman, USSR Committee for State Security (KGB))
Leonid Il'ich **Brezhnev**	(General Secretary, CPSU Central Committee)
Andrey Antonovich **Grechko**	(USSR Minister of Defense)
Viktor Vasil'yevich **Grishin**	(First Secretary, Moscow City Party Committee)
Andrey Andreyevich **Gromyko**	(USSR Minister of Foreign Affairs)
Andrey Pavlovich **Kirilenko**	(Secretary, CPSU Central Committee)
Aleksey Nikolayevich **Kosygin**	(Chairman, USSR Council of Ministers)
Fedor Davydovich **Kulakov**	(Secretary, CPSU Central Committee)
Dinmukhamed Akhmedovich **Kunayev**	(First Secretary, Central Committee, CP of Kazakhstan)
Kirill Trofimovich **Mazurov**	(First Deputy Chairman, USSR Council of Ministers)
Arvid Yanovich **Pel'she**	(Chairman, Party Control Committee)
Nikolay Viktorovich **Podgornyy**	(Chairman, Presidium, USSR Supreme Soviet)
Dmitriy Stepanovich **Polyanskiy**	(USSR Minister of Agriculture)
Vladimir Vasil'yevich **Shcherbitskiy**	(First Secretary, Central Committee, CP of the Ukraine)
Mikhail Andreyevich **Suslov**	(Secretary, CPSU Central Committee)

CANDIDATE MEMBERS

Petr Nilovich **Demichev**	USSR Minister of Culture
Petr Mironovich **Masherov**	(First Secretary, Central Committee, CP of Belorussia)
Boris Nikolayevich **Ponomarev**	(Chief, International Department, CPSU Central Committee)
Sharaf Rashidovich **Rashidov**	(First Secretary, Central Committee, CP of Uzbekistan)
Grigoriy Vasil'yevich **Romanov**	(First Secretary, Leningrad Oblast' Party Committee)
Mikhail Sergeyevich **Solomentsev**	(Chairman, RSFSR Council of Ministers)
Dmitriy Fedorovich **Ustinov**	(Secretary, CPSU Central Committee)

SECRETARIAT

GENERAL SECRETARY
Leonid Il'ich **Brezhnev**

OTHER MEMBERS

Vladimir Ivanovich **Dolgikh**	(Chief, Organizational Party Work Dept, CPSU Central Committee)
Ivan Vasil'yevich **Kapitonov**	
Konstantin Fedorovich **Katushev**	(Member, Politburo, CPSU Central Committee)
Andrey Pavlovich **Kirilenko**	
Fedor Davydovich **Kulakov**	(Member, Politburo, CPSU Central Committee)
Boris Nikolayevich **Ponomarev**	(Chief, International Dept, CPSU Central Committee)
Mikhail Andreyevich **Suslov**	(Member, Politburo, CPSU Central Committee)
Dmitriy Fedorovich **Ustinov**	(Candidate Member, Politburo, CPSU Central Committee)

SCHOOLS

ACADEMY OF SOCIAL SCIENCES
Mikhail Trifonovich **Iovchuk**

HIGHER PARTY SCHOOL
Yevgeniy Mikhaylovich **Chekharin**

INSTITUTE OF MARXISM-LENINISM
Anatoliy Grigor'yevich **Yegorov**

INSTITUTE OF SOCIAL SCIENCES
Fedor Danilovich **Ryzhenko**

DEPARTMENTS

ADMINISTRATION OF AFFAIRS
Georgiy Sergeyevich **Pavlov**

ADMINISTRATIVE ORGANS
Nikolay Ivanovich **Savinkin**

AGRICULTURE
Fedor Davydovich **Kulakov**

CADRES ABROAD

CHEMICAL INDUSTRY
Viktor Mikhaylovich **Bushuyev**

CONSTRUCTION
Ivan Nikolayevich **Dmitriyev**

CULTURE
Vasiliy Filimonovich **Shauro**

DEFENSE INDUSTRY
Ivan Dmitriyevich **Serbin**

GENERAL
Konstantin Ustinovich **Chernenko**

HEAVY INDUSTRY

INTERNATIONAL
Boris Nikolayevich **Ponomarev**

LIAISON WITH COMMUNIST & WORKERS PARTIES OF SOCIALIST COUNTRIES

LIGHT & FOOD INDUSTRY
Fedor Ivanovich **Mochalin**

MACHINE BUILDING
Vasiliy Semenovich **Frolov**

ORGANIZATIONAL PARTY WORK
Ivan Vasil'yevich **Kapitonov**

PLANNING & FINANCE ORGANS

PROPAGANDA

SCIENCE & EDUCATIONAL INSTITUTIONS
Sergey Pavlovich **Trapeznikov**

TRADE & DOMESTIC SERVICES
Yakov Ivanovich **Kabkov**

TRANSPORT & COMMUNICATIONS
Kirill Stepanovich **Simonov**

PARTY CONTROL COMMITTEE
Arvid Yanovich **Pel'she**

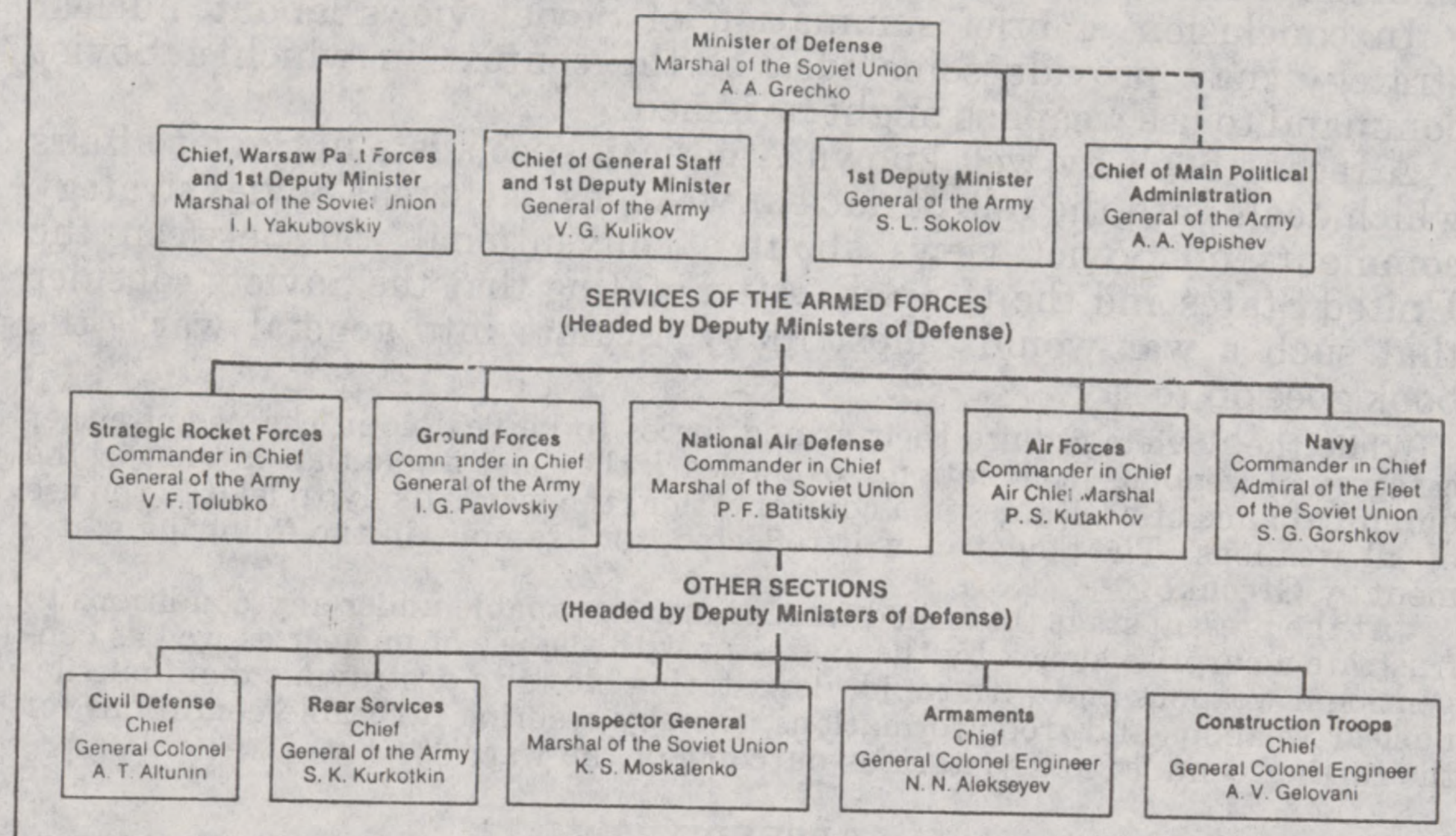
* Officials in the departments of the CPSU Central Committee's administrative apparatus are not necessarily members of the Central Committee. The Central Committee itself, not shown on this chart, consisted of 241 members and 155 candidates following elections at the 24th Party Congress in April 1971.

565974 6-75

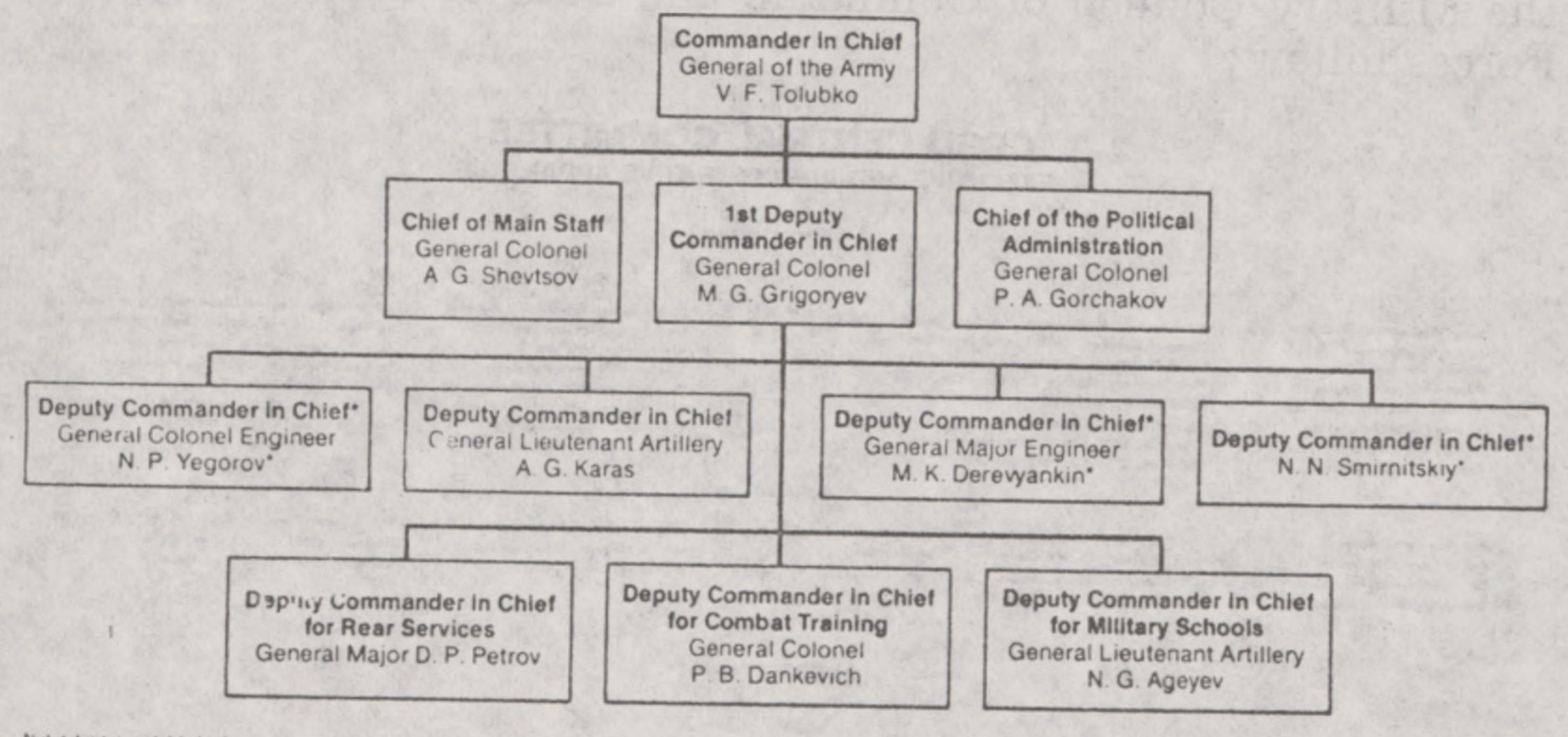
A(CR) 75-19
Supercedes A(CR) 74-38
June, 1975

[10] Goure, Leon, Foy D. Kohler, and Mose L. Harvey. The Role of Nuclear Forces in Current Soviet Strategy. Monograph in International Affairs, Center for Advanced International Studies. University of Miami. 1974. P. 103.

MINISTRY OF DEFENSE



MEMBERS OF THE MILITARY COUNCIL OF COMMAND AND STAFF OF THE STRATEGIC ROCKET FORCES



NOTE.—Information on organization of the Soviet Armed Forces is considered classified by the Soviet government; hence official organization charts are not available. The charts that follow have been constructed by Harriet Fast Scott from information found in current Soviet military journals, newspapers, and books on military affairs. The functional responsibilities of some deputy commanders are uncertain, and in a few cases, the name or rank of an incumbent has been deduced from a number of related but nonspecific sources. Command and staff positions and the name or rank of incumbents that have not been definitely established are indicated by asterisks.—The Editors, Air Force Magazine, March 1975 "Soviet Aerospace Forces and Doctrine" by Col. William F. Scott, USAF (Ret.).

PEOPLE'S REPUBLIC OF CHINA*

Summary

The armed forces of the People's Republic of China are controlled by the Communist Party of China, and the state constitution designates the Chairman of the Central Committee of the Party as the commander of the armed forces. Mao Tse-tung holds this position, and it is likely that a decision regarding the use of nuclear weapons would be made by Mao and the other members of the Politburo who constitute the inner decisionmaking group of the Party and the state. Many major decisions in recent years have been collective decisions because of the several centers of power (including the armed forces) represented on the Politburo. Though Mao has been the arbiter between the various factions, his age (81) and his frail health both point toward more reliance or a collective decision. If circumstances prevent a quick decision by the entire Politburo, it seems probable that alternative arrangements have been made for a decision by the Politburo's Standing Committee or through some alternate headquarters.

We do not know whether China has deployed tactical nuclear weapons, but there have been indications that the Chinese are developing such weapons, and their use would be compatible with present Chinese military capabilities and with what is known of China's military strategy. While we do not have information on the command and control arrangements for tactical nuclear weapons, control of such weapons—if they have been developed—is probably held tightly by the central leadership in Peking. It is reasonable to expect, however, that authority to use such weapons in exceptional circumstances under carefully prescribed regulations may have been delegated to military leaders.

Command and Control

The focus of power in China is in the Chinese Communist Party's Politburo and its Standing Committee. This central party leadership appears to have effective control over the state, party and military bureaucracies that implement decisions. But this leadership, as reflected in the Politburo, represents central and regional party and military groupings, the civilian bureaucracy and the mass organizations. It is divided along ideological lines into radical and moderate factions, with the strength of various groups, and even their identification, difficult to assess. Both the party and state constitutions name the Communist Party as the leader of the armed forces, with the party leader as the commander of those forces. The present constitutions reflect the power situation as it existed when they were

---

* Prepared by M. T. Haggard, Specialist in Asian Affairs, Foreign Affairs Division, Sept. 19, 1975.

written, but the Chinese political system has not remained static, with the relative strength of groups changing considerably in the past decade.[1]

There were two new party constitutions in the 1969–73 period and a new state constitution in 1974, all reflecting, after the fact, major changes in the power structure. The present transitional period may be smooth, without major violence, but there could be vast changes in the leadership which could take place with little or no reference to the existing constitutions. This, in turn, could result in new constitutions framed to suit the needs of the new leadership.[2] If such changes follow the pattern of previous ones in China, the dust will all be settled before reliable knowledge of them reaches outside China.

The central figure in the decisionmaking process has been Mao Tse-tung, who is considered the top ranking member of the Standing Committee of the Politburo and is Chairman of the Central Committee. The latter position, under the state constitution, also makes him commander of the armed forces. Mao is not involved in day-to-day operations of the party or the government, and his activities are considerably reduced because of his age and health, but he still is a factor in important domestic and foreign policy decisions. Premier Chou En-lai continues to be the central figure in the operation of the party and government systems, but he has been hospitalized for most of the past 15 months. The most active party-government figure is Deputy Premier Teng Hsiao-ping, who himself is over 70 years of age and who was rehabilitated in 1973 after being purged during the Cultural Revolution. Teng has also been named chief of staff of the People's Liberation Army (PLA) in a move apparently aimed at giving the central party leadership tighter control of the armed forces.[3]

Real direction of military affairs and policies in China has come from the Military Commission (formerly the Military Affairs Committee) of the Central Committee of the CCP. The Military Commission is, in the party bureaucracy, responsible to the Politburo and its standing committee. However, for long periods it has had a semi-autonomous or even autonomous role in the determination of military policy. As noted, the Politburo and its standing committee would make final decisions on the use of nuclear weapons, but this authority might be shared with the Military Commission, and there is considerable overlapping between the groups. The membership and organization of the Commission is only partially known, and for considerable periods of time its membership and activities have been concealed or unpublicized. The Commission has been under the control of Mao Tse-tung as official or unofficial chairman, with Lin Piao second to Mao on the Commission during the 1959–71 period. Most of the other leading members have been from the senior military elite, with Wang

---

[1] Towsend, James R. Politics in China. Boston: Little, Brown and Co., 1974. Pp. 288–292. There was a wide split in the Politburo during the early part of the Cultural Revolution, resulting in the decline of Politburo authority. These divisions have been reduced. but not eliminated, by a series of purges.

[2] The willingness of Mao to carry the struggle outside the established institutional framework—the Party and Government structure—and do so successfully illustrates the need to be cautious in using the existing constitutions, particularly after they have been in existence a few years, to determine which individuals or groups are making strategic/foreign policy/domestic policy decisions.

[3] In Chinese usage, the PLA is equivalent to military forces, since the PLA includes ground, air, naval and missile forces.

Hung-wen, who became a member of the Politburo in 1973, a major exception.[4]

The Military Commission exercises direction of the Ministry of National Defense and of the PLA. According to one specialist in Chinese military affairs, the late Prof. Ralph Powell, the Commission appears to combine most of the functions of the U.S. Joint Chiefs of Staff and the Secretary of Defense. The Commission has thus had a key initial role in the formulation of military policy and strategy, designating strategic aims for the PLA, and has probably been the organization tasked with working out command and control arrangements for the nuclear and missile program. Generally, the Military Commission operates through the Ministry of National Defense or through the General Political Department, but occasionally the Commission bypasses these levels and issues important directives to the armed forces in its own name.[5]

Military Forces

The People's Liberation Army is organizationally a part of the Ministry of National Defense, but its top leaders are all members of the Standing Committee of the Politburo. Both the Minister of National Defense (Yeh Chien-ying) and the Chief of Staff of the PLA (Teng Hsiao-ping) are also believed to be vice chairmen of the Military Commission. Operational military responsibilities in the PLA are concentrated in the General Staff Department headed by the Chief of Staff. This post is highly sensitive as indicated by the frequent politically charged turnovers and the difficulty in the 1971–74 period in selecting a suitable candidate. The post was finally filled by Teng Hsiao-ping in January 1975, giving the Mao-Chou group more direct control of the armed forces. Chang Chun-chiao was named political commissar of the PLA in January.[6]

Military units concerned with nuclear testing and missile development seem to have been largely insulated from the Cultural Revolution, but there was some slowdown in advanced weapons programs. The party leadership has apparently been careful in its dispersal of nuclear weapons within the military, and what is known of Peking's nuclear strategy points to the establishment of an independent organization of the strategic forces facilitating the central leadership's undisputed control over nuclear assets.[7]

---

[4] Other vice chairmen of the Military Commission include Yeh Chien-ying (the Minister of National Defense) and Hsu Hsiang-chien (now 73, a senior military leader, a member of the Central Committee but not of the Politburo). There have been unconfirmed reports that Teng Hsiao-ping is a vice-chairman of the Commission, and his present party, state and military positions would seem to indicate that these reports are accurate.

[5] Townsend, op. cit. pp. 98–99. Gittings, John. The Role of the Chinese Army. London: Oxford University Press, 1967. Pp. 282–288. Powell, Ralph L. The Military Affairs Committee and Party Control of the Military in China. Asian Survey. Vol. III. July 1963. Pp. 347–356.

Powell, Ralph. Politico-Military Relationships in Communist China. U.S. Department of State. Bureau of Intelligence and Research. P. 5. A study based on the "Military Papers" (29 issues of the Kung Tso T'ung Hsun, or Work Correspondence, dated from January–August 1961, a secret periodical issued by the General Political Department of the PLA).

Central Intelligence Agency. Reference Aid A 73-35 January 1974. Directory of Officials of the People's Republic of China. P. 8.

[6] Chang is also second deputy premier of the PRC and a member of the Standing Committee of the Politburo. Both Teng and Yeh are also members of the Standing Committee of the Politburo.

[7] Barnett, A. Doak. A Nuclear China and U.S. Arms Policy. Washington: The Brookings Institution, 1970. Reprint 181. Pp. 427–442 (Reprinted from Foreign Affairs, April 1970. Vol. 48).

Huck, Arthur. The Security of China. New York: Columbia, 1970 (for the Institute of Strategic Studies). Pp. 71–72.

Harding, Harry, Jr. The Making of Chinese Military Policy in Whitson, William W. (ed.) The Military and Political Power in China in the 1970s. New York: Praeger Publishers, 1972. P. 380.

Several specialists on China's nuclear development and policy believe the Second Artillery is China's strategic missile command. The Second Artillery is responsible directly to the Chief of Staff of the PLA in the formal organizational structure, but the actual chain of command and control of its units and weapons is not clear. The central leadership probably maintains direct control over this organization. According to one specialist, as many as 60,000 men might be assigned to the Second Artillery (as of 1972).[8]

Possession of nuclear weapons has forced Peking to work out a strategic doctrine relating to their employment and procedures to insure tight control on their actual use. We know very little about Peking's criteria for assessing nuclear risks, but the PRC has been careful in its military policies and anxious to avoid confrontation with either the United States or the Soviet Union.[9] Peking does not discuss its nuclear weapons strategy or tactics except in political terms and here declares it will never be the first to use nuclear weapons. There has been little published in China which can be used to chart the PRC's future nuclear strategy, and little has been released regarding the progress of China's missile program.

It would seem that some formal, if not legal, procedure would be instituted, with adequate safeguards, to insure that the authority to order the initial use of nuclear weapons would be held tightly. It would also seem likely that the Chinese have formulated contingency plans to consider alternative uses of nuclear weapons in case of crisis. These problems and the dispersal of such weapons to avoid their being destroyed by surprise attack would seem to present difficult problems of command and control.[10]

China is not likely in the foreseeable future to approach nuclear parity with either the United States or the Soviet Union, but continues to progress in its efforts to achieve a credible nuclear deterrent. The PRC's strategic forces program has lost some momentum, partly because of technical difficulties. Peking already has a modest number of MRMB's and IRMB's, but development of a limited range ICBM (able to reach European Russia) and full range ICBM (to have range of 7,000 nm) has been slower than expected. A number of the full-range ICBM's, according to the Department of Defense, may possibly be ready by mid-1980. The PRC is expected to need at least 4 years to achieve even a "token operational" SLBM capability.[11]

---

[8] Murphy, Charles H. Mainland China's Evolving Nuclear Deterrent. Bulletin of the Atomic Scientists. January 1972. P. 31.

Horner, Charles. The Production of Nuclear Weapons in Whitson, William W. (ed.) The Military and Political Power in China in the 1970's. New York: Praeger Publishers, 1972. P. 246.

The Military Balance 1974–75. London. The International Institute for Strategic Studies, 1974. P. 48.

[9] China is not the center of a military alliance system and her one major military alliance, the Sino-Soviet Treaty of Friendship, Alliance and Mutual Assistance signed in 1950, may no longer be in force. China's major security concern today is the Soviet Union and thus the value or even validity of the treaty today is questionable. The treaty, however, has not been publicly repudiated. The 30-year treaty provided that the parties would "undertake jointly" all the necessary measures to prevent aggression by Japan or states allied with Japan, and that in case one party was thus involved in a state of war, "the other High Contracting Party will immediately render military and other assistance with all the means at its disposal." The Soviet Union has claimed that the treaty had a major deterrent effect in the 1950's, protecting China from attack by the United States during the Korean war and during the off-shore islands crisis in 1958. Chinese Foreign Minister Chen Yi, however, in 1963 declared Soviet promises of support to be worthless. Huck, op. cit. pp. 68–69.

The Military Balance 1974–75. London. The International Institute for Strategic Studies, 1974. P. 48.

[10] Horner, op. cit. pp. 244–246.

[11] Secretary of Defense James R. Schlesinger. Report to Congress. Annual Defense Department Report. Fiscal year 1976 and fiscal year 1977. Feb. 5, 1975, pp. 11–17.

The International Institute for Strategic Studies. The Military Balance 1974–75. London, 1974. Pp. 48–50.

Tactical Nuclear Weapons

We do not know whether the PRC has tactical nuclear weapons, but China's strategy in case of war and the indications of China's weapon development program point in that direction. Underground nuclear tests and the use of plutonium could indicate an effort to develop weapons for battlefield use. The PRC clearly has the know-how to develop such weapons. Tactical nuclear weapons could be used as a deterrent against massing of Soviet troops on the frontier or against possible Soviet attack. Any aircraft capable of carrying conventional bombs could also carry nuclear weapons; even transports could be modified to carry such weapons, and a new interceptor being developed by China could be used as a nuclear delivery system for tactical operations. The Chinese have operational large-caliber artillery (M–55 203 mm gun-howitzers received from the Soviet Union before the break) and conceivably could have developed (or be developing) nuclear ammunition for them.[12]

Information on a command and control system for tactical nuclear weapons is not available, but the Politburo and its standing committee (through the Military Commission) would probably retain control except in carefully prescribed circumstances under which authority might be delegated to the military command.

The Political Role of the People's Liberation Army (PLA)

The People's Liberation Army has had a special position in the national political structure in China. It has maintained an organizational visibility within the Communist movement in China equal to that of the party and greater than that of other state institutions. The 1975 constitution of the PRC clearly points out the multiple roles and functions of the PLA as not only a fighting force but "simultaneously" a working force and a production force.[13]

The problem of pinpointing the officials or the individuals controlling the use of nuclear weapons is illustrated by the unique position of the PLA and its leadership during and after the Cultural Revolution. Party authority collapsed during the Cultural Revolution, and the army emerged as the only viable organizational link between the elite and the populace. By the time of the Ninth Party Congress in 1969, Mao and Chou En-lai had begun the move toward moderation and stability, with a restored party scheduled to play the leading role. Lin Piao, the Minister of Defense and Mao's "chosen successor," resisted the effort to return the army to a military role. Mao then set about to undermine Lin's base of power in the PLA, was successful and then thwarted a coup attempt by Lin and his subordinates. The PLA's top leadership then underwent the most extensive purge since the Communists came to power. Most of the regional commanders retained

---

[12] Horner, op. cit. pp. 246–51.
Jane's Weapon Systems, 1974–75 (Jane's Yearbooks London:). Pp. 35, 54, 63.
Hsieh, Alice Langley. China's Nuclear-Missile Programme: Regional or Intercontinental? The China Quarterly. No. 45. January/March 1971. Pp. 85–99.
Fraser, Angus M. The Utility of Alternative Strategic Postures to the People's Republic of China in U.S. Congress. Joint Economic Committee. China: A Reassessment of the Economy. A Compendium of Papers. July 10, 1975 Washington, D.C.: U.S. Government Printing Office, 1975. P. 456.

[13] The Party organization and control in the PLA indicate the considerable involvement of the armed forces in the political system. Political departments and their commissars are not subordinate to the military commanders in their units, but receive their orders from the Military Commission and the General Political Department—one of the three major departments of the PLA—through political departments down the chain of command. Townsend, pp. 98–99.

their positions of power in the immediate post-Lin period until a shift of several of these commanders took place at the end of 1973.[14]

The Information Problem and the Political Succession

The difficulties in understanding developments inside China are enormous, with China remaining basically a close and tightly controlled society. The availability of reliable data is limited. What information we do have indicates that the central party leadership in Peking has tightened control over the military and over regional power centers since the September 1971 military purge.[15] But despite the reduction in the political role of the military, the PLA remains a major factor in the post-Mao succession process. Jockeying for position in the coming post-Mao, post-Chou period is already underway. Best estimates are that over the short run no single figure is likely to emerge possessing the dominant position of Mao or even Chou. Chou En-lai apparently hopes gradually to transfer power during a transition period, now underway, to individuals and groups basically in agreement with present domestic and foreign policies. Concentration of leadership in the CCP elite would seem to insure organizational continuity in the political process. If the system remains intact, the national leadership is likely to continue to be chosen through internal party processes. But with the old leadership gradually being replaced, it becomes increasingly difficult to pinpoint just which individuals or groups of individuals may have the authority, or take the authority, to initiate the use of nuclear weapons. The present transitional period has been described as one of unstable stability.

Appendix

The Party and State Constitutions and the Party's Top Leadership Bodies

Both the constitution of the Chinese Communist Party (adopted by the 10th National Congress of the Communist Party of China on August 28, 1973) and that of the People's Republic of China (adopted by the 4th National People's Congress at its first session on January 17, 1975), specify that the Communist Party directs all state organs and the armed forces. The PRC constitution contains the following provisions: [16]

---

[14] Bridgham, Philip. The Fall of Lin Piao. The China Quarterly. No. 55. July/September 1973. Pp. 427–449.
Wich, Richard. The Tenth Party Congress: The Power Structure and the Succession Question. The China Quarterly. No. 58. April/June 1974. Pp. 231–248.
Secret documents which have become available give some of the details of the Mao-Lin struggle, of the plan for a coup of the Lin-led military leadership, but there is no reference in a recent published collection of these documents to control or use of nuclear weapons. See Kau, Michael Y. M. The Lin Piao Affair. White Plains, N.Y.: International Arts and Sciences Press, Inc. 1975.

[15] Differences between moderates and radicals within the party leadership have not been eliminated, but the moderates, led by Premier Chou En-lai, have dominated recent party meetings and the National People's Congress held in January. Some factional strife has continued in China, most recently in Chekiang province, but it is not clear if it is isolated or whether it might be related to new political campaigns which could increase reports of unrest.

[16] Peking Review, No. 35–36, Sept. 7, 1973, pp. 26–28. For an analysis of the new state constitution, see Tao-Tai Hsia and Kathryn Haun. The 1975 Revised Constitution of the People's Republic of China. Far Eastern Law Division. Law Library, Library of Congress. July 1975. Pp. 8, 20, 38, and 65. Authority over the armed forces was given to the Chairman of the Republic in the 1954 constitution. The title of Chairman of the Republic was eliminated in the 1975 constitution. But, in both cases, the commander of the armed forces was Mao Tse-tung.

Article 2: The Communist Party of China is the core of leadership of the whole Chinese people.

Article 15: The Chinese People's Liberation Army and the people's militia are the workers' and peasants' own armed forces led by the Communist Party of China * * *. The chairman of the Central Committee of the Communist Party of China commands the country's armed forces.

The party constitution points out the various party groups which have authority in the field of military policies: [17]

Article 6: The highest leading body of the party is the National Party Congress and when it is not in session, the Central Committee elected by it.

Article 7: State organs, the People's Liberation Army and the Militia * * * must all accept the centralized leadership of the party.

Article 8: The National Party Congress shall be convened every 5 years. Under special circumstances, it may be convened before its due date or postponed.

Article 9: The plenary session of the Central Committee of the party elects the political bureau of the Central Committee, the standing committee of the political bureau of the Central Committee and the chairman and vice-chairman of the Central Committee. The plenary session of the Central Committee of the party is convened by the political bureau of the Central Committee. When the Central Committee is not in plenary session, the political bureau of the Central Committee and its standing committee exercise the functions and powers of the Central Committee. Under the leadership of the chairman, vice-chairman and the standing committee of the political bureau of the Central Committee, a number of necessary organs, which are compact and efficient, shall be set up to attend to the day-to-day work of the party, the government and the army in a centralized way.

The first plenary session of the Tenth Central Committee of the CCP on August 30, 1973 elected: [18]

(1) Mao Tse-tung as chairman of the Central Committee;

(2) Vice chairman of the Central Committee: [19] Chou En-lai, Wang Hung-wen, Kang Sheng, Yeh Chien-ying, Li Teh-sheng.

(3) Members of the political bureau of the Central Committee: [19] (listed in the order of number of strokes in their surnames) Mao Tse-tung, Wang Hung-wen, Wei Kuo-ching, Yeh Chien-ying, Liu Po-cheng, Chiang Ching, Chu Teh, Hsu Shih-yu, Hua Kuo-feng, Chi Teng-kuei, Wu Teh, Wang Tung-hsing, Chen Yung-kuei, Chen Hsi-lien, Li Hsien-nien, Li Teh-sheng, Chang Chun-chiao, Chou En-lai, Yao Wen-yuan, Kang Sheng, Tung Pi-wu.

(4) Members of the standing committee of the political bureau of the Central Committee (listed in the order of the number of strokes in their surnames) [19] Mao Tse-tung, Wang Hung-wen, Yeh Chien-ying, Chu Teh, Lit Teh-sheng, Chang Chun-chiao, Chou En-lai, Kang Sheng, Tung Pi-wu.[20]

---

[17] Peking Review, No. 4, Jan. 24, 1975, pp. 12–16.

[18] Peking Review, No. 35–36, Sept. 7, 1973, p. 10.

[19] Teng Hsiao-ping was made a member of the Politburo in January 1974, and was named in January 1975 to be a vice chairman of the Central Committee and to the standing committee of the Politburo.

[20] It should be noted that only a few of these men are major participants in the policymaking process. Mao Tse-tung (age 81) and Chou En-lai (age 76) remain the two major political figures in China, but neither is in good health. Only Teng Hsiao-ping (age 70), Wang Hung-wen (age 40), and Chang Chun-chiao (age 64 or 65) are in good health. Chu Teh is 89 and frail. Both Yeh Chien-ying (age 76) and Kang Sheng (age 72) have been ill within the past year. Li Teh-sheng has been downgraded since the 10th Party Congress. Tung Pi-wu (age 89) died in April.

○