

Democracy the Destroyer of Worlds:
Carter's Presidential Directive-59, Habermas, and the Legitimation of Nuclear Secrecy

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Democracy the Destroyer of Worlds: Carter's Presidential Directive-59, Habermas, and the Legitimation of Nuclear Secrecy.

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Abstract:

On July 25, 1980 President Jimmy Carter signed Presidential Directive 59 (hereafter PD-59). PD-59 was an attempt to operationalize the concept of limited nuclear options into United States nuclear weapons policy. This nuclear policy was unique in that the story of its existence was broken by the press and the Carter Administration lost control of the representations of PD-59. In this study I analyze the events leading up to the creation of PD-59 and its subsequent debate in newspapers as well as secret policy meetings using Habermas's theory of deliberative politics from a critical rhetorical perspective. This analysis unpacks the complex legitimizing process that functions to legitimize policy that is created outside of the public eye.

Contents:

Chapter 1, Introduction	1
Chapter summary	4
Chapter 2, Habermasian framework	9
Habermas's corpus	10
Lifeworld and communicative action	16
Systems world	19
Argument and communicative competence	19
Truth and science	21
Discourse ethics	24
Deliberative politics	30
Public sphere and the political sphere	32
Debates on Habermas and rhetoric	37
Habermasian methodological framework	57
Chapter 3, Nuclear weapons and the rhetoric of nuclear policy	66
Literature	66
Deterrence	70
Nuclear weapons and communication	72
Chapter 4, The construction of PD-59	77
Rhetorical perspective of deterrence	77
Discourse of deterrence prior to PD-59	80
President Carter's countervailing strategy	82
Documents in the construction of PD-59	83

PD-18	88
Nuclear targeting policy review	94
SCC meeting	96
PD-59	97
Public discussion	103
Political discussion	111
Senate Hearing	119
Chapter 5, discursive politics	125
Initial policy discussions on deterrence	128
Deterrence in the documents	130
Normative claims	134
Public leak	143
Breaking the story	144
...”if deterrence fails”...	148
Procedural legitimacy	153
Post-leak political discussion	163
Senate hearing	167
Conclusion	180
Chapter 6, conclusion	181
Deterrence as discourse	181
Morality and ethics of nuclear deterrence	184
Democracy and PD-59	188
Theoretical implications	193

Major limitations	198
Author's observations	200
PD-59 and the context of nuclear deterrence policy	203
Future studies	205
Bibliography	208
Appendix 1: Newspaper articles cited	223
Beecher, W. (1980, July 27)	223
Getler, M. (1980, Aug. 6)	227
Burt, R. (1980, Aug. 6)	230
Burt, R. (1980, Aug. 7)	235
Austin, A. (1980, Aug. 7)	238
Gwertzman, B. (1980, Aug. 9)	241
Burt, R. (1980, Aug. 11)	245
Gwertzman, B. (1980, Aug. 12)	249
Burt, R. (1980, Aug. 12)	252
Doder, D. (1980, Aug. 12)	256
Oberdorfer, D. (1980, Aug. 12)	259
Burt, R. (1980, Aug. 13)	262
Appendix 2: Beecher, W. (personal communication, 2015)	266
Marc Howard Rich to William Beecher, March 3, 2015 3:41pm. MST	266
William Beecher reply to Marc Howard Rich, March 4, 2015 10:43 am. MST	268
Marc Howard Rich reply to William Beecher, March 4, 2015 3:23 pm. MST	270
William Beecher reply to Marc Howard Rich, March 4, 2015 6:04 pm. MST	271

Marc Howard Rich reply to William Beecher March 4, 2015 6:23 pm. MST	272
William Beecher reply to Marc Howard Rich March 5, 2015 2:57 am. MST	272

What is not generally appreciated is that these arcane documents have a power of their own to drive budgets, to create both the appetite and the justification for new weapon systems and on occasion to provide the martial drum to lead a nation. As arcane and antiseptic as these documents may seem to be, these studies and papers can be enormously important. ~Hon. Frank Church (Senate, 1980, p. 1)

Chapter 1, Introduction

On July 25, 1980 President Jimmy Carter signed Presidential Directive 59 (hereafter PD-59) “Nuclear Weapons Employment Policy” that was a secret policy document intended to give the United States more flexibility in the deployment of nuclear weapons. PD-59 set up the conditions where limited nuclear options could be developed alongside the already established Single Integrated Operational Plan (hereafter SIOP). The doctrine of limited nuclear options that was contained within PD-59 became “one of the most controversial nuclear policy directives of the Cold War” after a journalist named William Beecher broke the story and then portions of the document were leaked to the public by the Carter administration (Burr, 2012). In my study I explore the rhetorical situation that produced PD-59 and the subsequent controversy over the legitimization of the policy. This exploration addresses the broad question of *how does government secrecy legitimately operate within a pluralistic democratic society* with a focus on the question of *how does the public make sense of and legitimate nuclear policy?* This study will focus on how the actual practice of government secrecy can inform normative conceptions of democracy. This question is specifically applied to a Habermasian framework that is typically skeptical of anything that will allow government operations outside of the public eye.

PD-59 came from and extended a debate over the nature of nuclear deterrence policy. There are several different ways to approach the idea of deterrence; as a military strategy,

international relations issue, or even a rational claim, however I approach deterrence from a rhetorical perspective grounded in a Habermasian view of language. Using this perspective, nuclear deterrence policy becomes a series of discourses that shape military strategy and international relations by invoking a variety of debates regarding nuclear issues. For this study deterrence policy will be conceptualized as a discourse that is concerned with Habermas's criticizable validity claims; which are claims of truth, claims of sincerity, and claims for normative rightness. In the discourse of deterrence, various actors use this opportunity to invoke and defend their view of the scientific properties of nuclear weapons, the morality of nuclear weapons, and the sincerity of actors and relations of the nations involved in deterrence. This concept of deterrence as a discourse fits within Habermas's view of discursive politics, and becomes the foundation for constructing an understanding of how government secrecy may be legitimated democratically. This legitimation occurs through the process of interrogating the validity claims as well as following a procedurally normative communicative process.

I use a Habermasian view of democracy as both its analytical structure as well as its normative foundation. Habermas's theories are particularly well suited for this study because he offers a very complex understanding of society, developed over the course of 50 years of literature. Those theories account for the multiple types of arguments that operate within nuclear discourse and offer a critical methodology for dealing with scientific discourse, moral discussion, notions of power, questions of sincerity, and the democratic process. Habermas's political theory rests on the assumptions of radical democracy which are; that the citizenry have a voice in the laws that they live under, that there is some institutionalized process that allows the citizenry to have a voice in those laws, and that coercive governmental power is legitimated strictly through the public opinion created in the institutionalized form (Habermas, 2014). These basic procedural

standards allow for a normative conception of democracy whereby the public is the final authority for government action. From here Habermas's theory operates through a communicative lens that establishes a postmetaphysical procedural framework for rationality. This normative framework allows for an understanding of legitimacy grounded in correct procedure rather than a particular worldview or historically situated forms of knowledge. A political discussion can be analyzed through this framework to see how a public specifically legitimizes a particular issue and what parts of that issue came under contention.

Scholars argue that informed public deliberation is necessary for a democratically legitimated society even in situations where representation occurs (Asen, 2002; Glass, 1993; Habermas, 1974; 1987; 1991; O'Neil, 1994; Taylor, 2007b; see also: Peters, 1993 and Hauser, 1999 who criticize this assumption; Habermas, 1996 where Habermas softens his stance about representation). I complicate the idea that a public must always have a transparent informed engagement for effective deliberation. I argue that within the rhetorical reasoning process, which is the construction of claims to present to specific audiences for specific purposes, there is a form of reason embedded that makes use of a set of background assumptions and collective sensemaking that is not dependent on individual actors' full comprehension of the issues. This rhetorical reasoning de-emphasizes the need for informed publics qualified by the use of "good reasons" and instead placed a premium on how the rhetoric used to describe an event or situation reflected the community experience. This process is compatible with Habermas's theory of the lifeworld and I argue that this understanding of publics solves some problems encountered between Habermas's earlier and later work. I am also using Habermas's theory of deliberative politics that allows for a separation between the public sphere and political sphere based on action orientation.

I use several steps to understand PD-59 and its place in the rhetorically enacted democratically legitimated society. First, this study is positioned within a Habermasian framework of society. Habermas's theoretical position provides a complex model for understanding a democratic society that assumes that a pluralistic, postmetaphysical, postsecular society can only be legitimated through the informed consent of the public¹. Second, an outline of the rhetorical exigency that produced this document will be discussed. The exigency consists of technological and political advancements that, in the 1970's, made the prospect of a nuclear warfighting model a more viable option than it had been previously. Third, I present an outline of the actual document. PD-59 is positioned as a rhetorical response to the exigency of the changing face of nuclear policy within a Cold War context. Fourth, deterrence is read as a discourse as it emerged from the discussion surrounding PD-59. That policy and the ensuing discussion both inside and outside policymaking circles will be interrogated using a rhetorical interpretation of the Habermasian framework of a democratically legitimated society.

Chapter summary

The second chapter, titled Habermasian framework, details how I use Habermas's theory in this study. This investigation begins with Habermas's initial work with the public sphere. That theory formed part of the foundation for his theory of communicative action. The theory of

¹ Habermas argues that we exist in a pluralistic, postmetaphysical, postsecular society and that each of these distinctions condition the norms of democracy. Pluralistic means that the legitimation of society can no longer rely upon a unified set of values based on a common history, theology, or national identity (Habermas, 1987). Postmetaphysical means that the norms that evaluate society are not derived through strong conceptions of being or subjectivity, but are derived through procedural argumentation, which is how we deal with uncertainty. Postsecular refers to the idea that society must account for the fact that non-secular worldviews have a very real affect within the public sphere, and that those worldviews ought to be able to engage political discourse on their own grounds.

communicative action argues that complex societies have developed a lifeworld, where people coordinate their actions using rational communication, and a systems world, where communication has been replaced by money and power as a coordinating mechanism. Habermas argued that while money and power are used to regulate market and administrative systems they can be overextended and manipulate decisions where dialogue ought to be used to reach understanding, rather than money and power. In this theory Habermas outlines a theory for interrogating society to uncover distortion within the democratic process. This distortion can either occur through self-interests distorting rational communication within society's lifeworld, or through the over-administration of society where communication within the lifeworld is overtaken by money or power from the established systems world. Habermas developed a theory of ethics called discourse ethics that is based on the theory of communicative action and became the foundation for his theory of law. Habermas's theory of law gives this study its main thrust because Habermas separated the labor of society into the legitimating public sphere and the administering political sphere. The public sphere's function is to bring problems to the attention of the political sphere and to establish the norms of society. The political sphere is given the power to act on these problems and to effectively reflect the moral norms within the laws of society. The ending of this chapter addresses many concerns brought by scholars of the United States rhetorical tradition about Habermas's normative assumptions. I address these concerns and argue that Habermas's theory is not inherently incompatible with the United States' tradition of rhetoric. I end the chapter with an outline for a rhetorical methodology developed using Habermas's normative assumptions. This methodology is useful to rhetorical critics who are interested in studying deliberative democracy from a critical standpoint using a normative framework that addresses the concerns of a complex pluralistic society in late capitalism.

Chapter three, titled nuclear weapons and the rhetoric of nuclear policy, positions this study within several literatures and outlines the larger questions from within those literatures. The literatures are split into two sections: the first deals with the theoretical literatures coming mostly from the communication discipline, the second section deals with literature concerning nuclear weapons. The theoretical and methodological framework that makes up this study comes from Habermas's theory of democracy and the rhetorical approach developed in chapter two. The Habermasian framework provides the opportunity to interrogate the basic assumption that government secrecy is anathema in a democratically legitimated society. The investigation of how secrecy can legitimately operate within a democratically legitimated society pushes against some fundamental assumptions coming from public sphere theorists regarding the authority of the public sphere against an administered society. The critical literature coming from the Frankfurt school is inherently opposed to ideas of an administered society and, while Habermas does adopt a more positive view of politics than the first generation Frankfurt School (Peters, 1993, p. 541), Habermas largely borrows from these skeptical assumptions regarding representative government (p. 562). Within literature regarding nuclear weapons there is a tension between the fundamental notions of democracy and nuclear policymaking. Theorists recognize the difficulty in having a democratic body discuss nuclear policy because of the secrecy and scientific complexities inherent within nuclear weapons policy. This problem is addressed in two different literatures; that of nuclear weapons studies as well as the specialized subset of nuclear literature produced in the communication discipline.

The section dealing with nuclear literature is loosely organized into different categories according to the three validity claims. Habermas makes the statement that within any communicative act where people are trying to reach understanding with each other a person will

explicitly reference truth, sincerity, or normativity. The other party can choose to address either the explicitly or implicitly referenced validity claims. Based on the Habermasian structure I classify research into the material conditions of nuclear weapons under one group as making claims to truth. I group research into the nuclear strategy, deterrence policy, and international relations as making claims to sincerity. And I group research into the history of nuclear protest and ethics of nuclear weapons under normativity. Each of these sections necessarily touches on the other two claims but each one has a main claim that defines the group.

Chapter four, titled the construction of PD-59 gives a specific timeline of events for the construction of PD-59. This timeline will begin On August 30, 1977 when President Carter created PD-18 and his staff seriously investigated how to improve nuclear policy, and ends with the senate hearings on PD-59 that occurred on September 16, 1980. This chapter will both outline the historical events, as well as summarize major discussions and political moves that occurred within this period. Three major sets of texts emerged from PD-59. The first text was the private discussions between President Carter and his advisors who drafted and ultimately created the final document. The second text was the public discourse that emerged once details of PD-59's existence and a summary of the contents were leaked to *The New York Times* and *Washington Post* on August 5, 1980. The third text was the secret policy discussions that occurred between policymakers once PD-59 was signed by Carter. Each of these texts are identified based on the audience they addressed. These texts are analyzed using the framework established by Habermas's theory in chapter five.

Chapter five, titled discursive politics, applies the larger framework of discursive politics to the documents outlined in chapter four. The documents are divided according to the audience that they address and major themes from each set of documents are highlighted. The themes are

reflective of Habermas's three validity claims of truth, sincerity (also translated as "truthfulness" in some texts), and normative rightness, as well as the normative assumptions embedded in his theory of universal pragmatics that guide the communicative process. Once the particulars of each discourse are laid out they can be compared and, using Habermas's theory of communicative action, I explore if any distortion is occurring within the discourse as defined by Habermas's normative assumptions of communication.

Chapter six concludes this dissertation with an analysis of limitations, overarching conclusions, and areas of future study. This chapter starts with an overview of the public discussion on nuclear weapons and several historical moments of public intervention which were not analyzed in this study. I bring these points up because this study's focus on security documents and newspaper representations fails to address the fact that the public sphere itself at that time was very active in issues of nuclear policy. I then discuss the internal logic of morality and ethics inherent in nuclear deterrence policy. One significant finding is that while there are normative assumptions regarding nuclear deterrence policy those assumptions were already established prior to the documents analyzed in this study. There isn't any debate over the actual moral or ethical claims, only debate over whether PD-59 adheres to the previously established norms. I then discuss the theoretical implications of this study highlighting the application of a Habermasian rhetorical critique. Finally I work through the major limitations of my study and offer possibilities for future studies.

Chapter 2, Habermasian framework

The second chapter of this study is a literature review of Habermas's theory, which is the foundation for a Habermasian rhetorical methodology. I begin this chapter with a general outline of Habermas's corpus, then I elaborate on some key elements that I am using in this study, next I outline the tension within the literature between Habermas and rhetoric, and I end this section with an explanation of the rhetorical heuristic and method that I have developed based on Habermas's normative theory. Because this study is based on Habermas's theory of deliberative politics, the literature review will cover all of Habermas's major theoretical contributions from his work with the public sphere in 1963 to his work with law in 1992 and the accompanying literature. The public sphere work helps trace the evolution of Habermas's thought regarding the role of the public within society, and covers the three main incarnations of the public sphere. His work with universal pragmatics sets up the theory of communicative action and establishes the foundation for the rest of his work. The theory of communicative action introduces Habermas's two level theory of society, setting up the lifeworld and systems world, and outlines his normative critique of modernity. Finally Habermas's theory of law sets up an understanding of the relationship between the public sphere and political sphere.

My study operationalizes Habermas's theory and creates a Habermasian rhetorical methodology. This methodology offers a rhetorical critique that is sensitive to argumentation as well as deliberative democracy. Rhetorical theorists who work within this methodology can benefit from the extensive foundational work that Habermas draws upon for a theory of publics, philosophy of language, philosophy of argumentation, and laying out normative concerns grounded in language use. Habermas's theory is used to uncover points where the public can intervene (Habermas, 1973b, p. 2) and rhetorical critics can benefit by uncovering points where a

discourse was blocked. In the context of this study Habermas's theory of the lifeworld establishes the mechanisms that inform my understanding of deterrence as a discourse, and offers that any claim made implicitly or explicitly makes claims of truth, sincerity, and normativity that become claims of nuclear capability/science, international relations, and ethics, respectively. Habermas offers an overview of how truth and normative rightness are debated within society. In this study I outline Habermas's theory of truth that I apply to those instances in deterrence when actors make reference to the scientific properties of nuclear weapons. Next, Habermas's theory of discourse ethics is drawn out as a foundation for understanding the ethical discussion within the discourse of deterrence. Habermas doesn't offer too much information about sincerity as part of discourse. This is because he sees sincerity as ultimately being validated by actions rather than strictly within the discourse. In my study the Habermasian claim of sincerity occurs when actors make reference to the sincerity of other actor's claims, or when they make reference to international relations.

Habermas's corpus

This study itself will take place using the Habermasian framework of democracy and society, with a focus on his 1980 theory of communicative action (Habermas, 1984; 1987) and his 1992 understandings of deliberative politics (Habermas, 1996). This model of publics and public spheres is a culmination of many streams of thought, including Habermas's initial work with public spheres in (1991), his legitimation and crisis theory (1987), his theory of communicative action and critique of modernity (1984; 1987), his theory of discourse ethics (Habermas, 1990a), and his theory of law (1996). Specifically his theory of publics can be seen as having three main iterations, an early investigation in 1962 based in a theory of history (1991), an ideal understanding grounded on deliberation (1987), and one that offers a more

representative model of governance (1996). Habermas's general formulation of democracy, sometimes called "deliberative democracy" or "radical democracy" (not to be confused with "deliberative politics," which is a specific theoretical construction of his theory of law), has three major assumptions: that citizens have the ability to change the laws that affect them, that the legitimating force of all citizens is democracy is institutionalized within the government process somehow, and that the generation of power within the government is legitimated only through the link of political decisions to public opinion (Habermas, 2014). These three normative assumptions characterize Habermas's work on democracy from his early writings with the public sphere on through his work with a post-secular transnational democracy.

Habermas's work can be seen as occurring in several historical periods, each with a different focus. The first period can be identified as his pre-linguistic turn phase and is considered a critique of the philosophy of consciousness and of positivism. Major works in this period include *The Structural Transformation of the Public Sphere* (1991/1962), *Theory and Practice* (1973b/1963), *On the Logic of the Social Sciences* (1988/1967), and ended with the publication of *Knowledge and Human Interests* (1971/1968). This period is characterized as having a strong connection with Marxist theory as it was understood by Theodore Adorno and to a lesser extent Max Horkheimer of the Frankfurt School, specifically with an emphasis on the critique of culture, materialist theory of history, and with investigations into psychology. This period lays the foundations for Habermas's later conceptions of the public sphere, but this study doesn't directly draw too much from Habermas's earlier conceptions.

The second phase is his linguistic turn phase, and is punctuated by a move into the idea of what he will call "universal pragmatics." This phase is marked by a break with the work *Knowledge and Human Interests* (1971) and an investigation into communication as a

constitutive element within society. Other notable works of this period include *Legitimation Crisis* (1973a/1971), his 1971 Princeton Gauss Lectures published in *On the Pragmatics of Social Interaction* (2001/1984) and *Communication and the Evolution of Society* (1979/1976). Habermas received a lot of criticism for *Knowledge and Human Interests*, (for a sample of those criticisms see the journal *Philosophy of the Social Sciences* 1972 volume 2, which is a review symposium on Habermas's *Knowledge and Human Interests*) and in light of those criticisms decided to revise his project moving from a psychological cultural critique paradigm into a linguistic paradigm. Habermas began a project that he called a reconstruction of historical materialism, this project eventually became the theory of communicative action (Habermas, 1979, pp. 95-178; McCarthy, 1981, pp. 232-271). It was during this time that he developed the idea of the "lifeworld" through universal pragmatics. The lifeworld was a concept borrowed from Husserl but stripped of its phenomenological roots. Universal pragmatics was the idea that there was a procedural, rather than phenomenological, root to the lifeworld based in interactions between individuals who were trying to reach understanding with each other. Habermas argued that human action and understanding could be examined through these linguistic structures. It is during this period that he began to examine the system's theory of Parson's and Luhmann and developed the dual concept of society of system's and lifeworld. This period gives my study its initial philosophical foundations, particularly Habermas's concept of the lifeworld and foundations of communication that are further developed in his third period.

Habermas's third period is his mature theory, beginning by his two volume magnum opus *The Theory of Communicative Action* (1984/1981; 1987/1981). Other notable works in this period include *Moral Consciousness and Communicative Action* (1990b/1983), *The Philosophical Discourse of Modernity* (1987/1985), *Postmetaphysical Thinking* (1992/1988), and

Justification and Application (1993/1991). *The Theory of Communicative Action* set the foundation for the rest of his work, and offered a reformulated critique of modernity. Within that work he demonstrated how the linguistic turn corrected philosophical problems identified in the work of earlier theorists, from Marx, Weber, to Adorno and Horkheimer. The actual theory of communicative action was supposed to explain how a legitimate pluralistic society could be established through democratic ideals. Habermas was still skeptical of the emancipatory power within the modern public sphere, but offered that communicative reason demonstrated that a pluralistic society founded upon emancipatory reason was possible. His work with discourse ethics also emerged within this period, which attempted to establish a transcendental normativity founded in procedural ideals. This idea of discourse ethics would be fully formed in what became his theory of law. From this period I build from Habermas's basic assumptions of communication and the public sphere developed in his first and second periods, and develops a more complex view of how society is divided into the system and lifeworld. This period gives us Habermas's theory of truth, normativity, and sincerity as well as his theory of rhetoric.

Habermas's fourth period starts with *Between Facts and Norms* (1996/1992) and continues till the present day. This period is marked by a move away from Habermas's idealism present in his theory of communicative action, and a move toward correcting what others have identified as major empirical flaws in his mature theory. Of specific note Habermas spends a good deal of time addressing concerns from feminist critics and trying to incorporate their concerns into the body of his theory. He moves away from unifying themes of society and begins to examine how a post-secular and transnational world operates with ideals of democracy. He also spends some time dealing with the question of human rights within a pluralistic democratic society. This period tries to hold on to the normative claims of his previous work but offers a

more sympathetic read of the political sphere. This read argues that procedures within the political sphere are specifically designed to enable a pluralistic society to limit the influence by special interests and instrumental actors.

To summarize, from the first period of his work I will draw upon his ideals put forth largely in *The Structural Transformation of the Public Sphere* (1991) and *Theory and Practice* (1993b). This work began his investigation into the public sphere as a section of civil society from which public opinion was formed as a case study for the relationship between theory and practice. Habermas argues that a theoretical standard should be able to provide a quasi-transcendental understanding of society that will uncover those points where action is required. Later, in his mature period after his linguistic turn, Habermas again touched on the public sphere when he outlined his theory of communicative action and critique of modernity in *The Theory of Communicative Action* (1984; 1987). In this stage Habermas abandoned his theory of history developed in *The Structural Transformation* and instead developed a theory of society that relied upon a lifeworld, which was constituted through rational communication, and a systems world, which was constituted through the media of money and power. In his later period Habermas developed his theory of deliberative politics in *Between Facts and Norms* (1996). This theory offers a more sympathetic view of constitutional democracy and offers a theory of law residing in an interaction between the public sphere and political sphere.

The legitimizing mechanism of a democratic process is complicated by the notion of represented publics. I will start with the theoretical problem of nuclear secrecy within the literature regarding Habermas's radical democracy. Within Habermas's mature work on the public sphere it appears that nuclear secrecy is considered strategic communication and therefore an effort for the systems world to colonize the lifeworld. However, in *Between Facts and Norms*

Habermas suggests that the actual government operation shouldn't rely upon voters having direct dialogue with policies rather that representative democracy can be legitimated through the normative standards of radical democracy (Habermas, 1996, pp. 295-299; 1998a, pp. 245-249). The difference between texts can be seen as a difference between a strictly theoretical study, *The Theory of Communicative Action*, and the application of that theory, *Between Facts and Norms*, or it could be seen as an inconsistency within Habermas's thought. I am choosing to read this difference between theories as the difference between a strictly normative theory and the actual application of that theory to an empirical study. Within the literature this reliance upon a "rational deliberating public" as a normative standard presents problems creating the notion of "actually existing democracy" as a type of category among deliberative models. Habermas makes a separation in his later work between the public sphere and the political sphere and these two spheres are divided according to a difference in operation in creating society.

Throughout the entirety of his work Habermas's project attempts to find an emancipating form of reason within society. Habermas is committed to the idea that a reason can form the basis of an emancipated society with normative values that transcend context (Fultner, 2010, p. 8). One of his early works, written while still a student at the Frankfurt school, called "Marx and Marxism" focused upon the idea that a reasoning democracy could transform society into a just democratic state. He constructed the idea that within the very structure of communication there was a procedural form of rationality that occurred when two parties communicated to coordinate action through reaching understanding. This was different from strategic communication that was communication used to achieve a set goal. Habermas called this procedural form of rationality "communicative action." Later, in his theory of deliberative politics, this same

communicative reason becomes the normative test for a healthy public sphere that is able to guide and legitimate the political sphere into correcting problems in society.

Lifeworld and communicative action

Habermas's theory of society is grounded in the notion of a deliberating public that legitimizes the rules that govern them. According to Habermas, a legitimate democracy is one where individuals debate and agree to rules that govern their society on the bases of good reasons. Habermas starts with the concept of the *lifeworld* that is both an individual's background assumptions about the world around them, as well as the collectively constructed social world that is negotiated through communicative action. Communicative action happens when individuals try to coordinate action by communicatively presenting and negotiating Habermas's validity claims of truth, normative rightness, and sincerity (also translated as authenticity or truthfulness) backing those claims with good reasons. These validity claims are operationalized in my methodology section to create a heuristic that I apply to my study of PD-59. Whenever individuals communicate they present their conceptions of the world with the assumption that, if challenged, they can back up those assumptions with "good reasons."

The validity claims gain their rational character due to the claim that a speaker is acting in accordance to good reasons (Habermas, 1984, p. 22) and that they can, if challenged, make efforts to redeem the claim that has been presented (1990a, p. 58). Each actor presenting and evaluating these good reasons become the foundation for rational communication. Habermas differentiates communicative action from strategic action and argues that communicative action ultimately seeks to achieve consensus while strategic action operates exclusively to forward the interests of individuals (1984, p. 333). The lifeworld allows society to coordinate through communicative action that operates under the assumption that communication functions so that

individuals can reach understanding (Habermas, 1984). Society appears, from the perspective of the lifeworld, to be a “network of communicatively mediated cooperation... that thrives only in the light of cultural traditions, and not systemic mechanisms that are out of the reach of a member’s intuitive knowledge” (Habermas, 1987). Habermas offers the normative critique that a lifeworld ought to be maintained through communicative action rather than strategic action. This allows society to function in a democratic manner and prevents instrumental or self-interested parties from manipulating society.

The lifeworld is constituted through five validity claims, three of which guide the coordination of action. Those five claims are of truth, sincerity, normative rightness, aesthetic claims, and intelligibility. These are also called theoretical discourse, therapeutic critique, practical discourse, aesthetic criticism, and explicative discourse, respectfully, identifying the forms of argumentation that relate to each validity claim (Habermas, 1984, p. 23). Aesthetic claims and intelligibility are removed from Habermas’s theory of communicative action because they don’t provide any means of justifiable criticism within the context of coordinating action. Aesthetic claims are not elaborated upon because matters of taste are strictly personal and therefore cannot be challenged using good reasons. Intelligibility is the foundation for any communicative situation and therefore without an actual or assumed consensus regarding the form, language, and meaning of a statement no other challenge can be made and no action can be taken.

Truth, normative rightness, and sincerity are the validity claims that become the foundation for the heuristic in my rhetorical methodology, which is explained below. The three validity claims make up Habermas’s concept of communicative rationality and are founded on the three “actor-world relations that a subject can take up to something in a world” (Habermas,

1997). These three actor world relations are a teleological stance, a normative stance, or a dramaturgical stance (Habermas, 1984; 1987). These are also called the validity claims of truth, normative, and sincerity, and are invoked during argumentation with another subject about something within the world. Habermas's theory of communicative action is founded on the validity claims and they become the normative standard for Habermas's theory of rationality. Habermas argues that each of these stances constitutes a communicative claim founded in a subject position within the world (Habermas, 1984), and those claims are backed up by good reasons (1990a, p. 59). Whenever someone engages in a speech act they necessarily make reference to three things: something in the objective world, the relationship between the two communicators, and make a claim about their sincerity; each of which is one of the three possible subject positions. The teleological stance is when a subject positions themselves to something within the objective world. When a teleological stance is challenged it is backed up by claims rooted in objective empirical arguments. The normative stance is when a subject positions themselves to something within the social world. When a normative stance is challenged it is backed up by claims rooted in history and intersubjective relations. The dramaturgical stance is when a subject positions themselves to the internal world of a subject. When the dramaturgical stance is challenged it is backed up by examples by past behavior and promises for future action that validates the sincerity of the actor. The constitutive element of the lifeworld is the idea that coordinated action between individuals is constructed through the medium of communication with a normative goal of individuals reaching understanding. This process of coordinating action through communicative understanding is what Habermas calls communicative rationality. The lifeworld itself becomes the legitimating foundation for a post-metaphysical pluralistic

democratic structure. Habermas argues that complex societies require administrative and economic systems to streamline certain processes and relieve the burden put on the lifeworld.

Systems world

One reason that Habermas established the idea of communicative rationality, which is constitutive of the lifeworld of society, was to engage in a larger critique of society. Habermas argues that modern society operates under a complex interaction between a lifeworld and a systems world. Unlike the lifeworld the systems world is another section of society that replaces communication with the delinguistified media of money or power as the constitutive element of coordinated action. The systems world is composed of the economic area of money and the administrative area of power. The purpose of the system's world is to relieve the burden of maintaining certain areas of society through communication and to streamline coordination of action. Money and power enable two or more people to reach consensus without having to communicatively reach understanding. This way the system's world grows out of the lifeworld as society becomes more complex. These two areas of society are differentiated "in the sense that the complexity of the one and the rationality of the other grow" (Habermas, 1987, pp. 153). Habermas offers a larger critique of society by arguing that money and power have a place in society but that sometimes they integrate into the lifeworld and start establishing consensus that has not been negotiated by rational communication.

Argument and communicative competence

Habermas believes that within every speech act an actor necessarily makes reference to three validity claims which are distinguished by the reasons which back up those claims. Each act specifically addresses one or more of those claims while the remaining claims are implicitly addressed. The claims themselves are distinguished by the types of reason's which are used to

support each claim, and are also distinguished by type of expert discourse associated with each claim. Expert discourses only refers to a specialized language applied to certain areas of knowledge, and does not refer to privileged knowledge about a topic.

In this case expert discourses refer to specialized areas that refine the system of knowledge and vocabulary that is used in reference to various validity claims. When a validity claim is engaged through argumentation actors each use standards and language developed by experts who specialize in science, therapy and aesthetics, and morality (Habermas, 1984, p. 23). The three validity claims are truth, sincerity, and normative rightness respectively. Truth makes reference to the shared objective world and uses the expert discourse of science. Sincerity makes reference to a person's past and current behavior and uses the expert discourse of therapy and aesthetics. Normative rightness makes reference to the interpersonal behavior and norms and uses the expert discourse of ethics and morality. In any statement a person explicitly makes reference to any one of these claims, but the listener can challenge any of them due to the fact that each claim is implicitly present in any statement. In my study I am identifying statements on the material nature of nuclear weapons to be claims of truth, statements on the moral issues related to nuclear war as claims to normative rightness, and statements about the intentions of particular actors or nation states as claims to sincerity.

Habermas doesn't offer much of an elaboration for the claim of sincerity because claims of sincerity makes reference to past behavior and is justified by a person's promises of consistency more so than being discursively redeemed. This claim isn't extensively elaborated upon in Habermas's work. While sincerity is difficult to redeem discursively it can be challenged discursively. When the sincerity of an actor is challenged the other actor necessarily makes reference to inconsistencies between the past actions of that actor and the claims or justifications

that the actor uses to explain a certain action. Habermas does elaborate on truth outlining an entire theory of scientific discourse, and also on normative rightness as a theory of ethics and morality in his discourse ethics. I operationalize all three of these claims in order to understand how people make sense of, and justify their claims on, the technical realms of science, international relations, and morality within the discourse of deterrence.

Truth and science

In this study I argue that people who are discussing nuclear deterrence policy necessarily make claims about the capabilities of nuclear weapons that are synonymous with Habermas's claims of truth. These claims take the form of scientific discussion and justification and translate the specialized scientific discussion into a form that is deliberated by non-experts. Habermas treats the validity claim of truth as a general form of inquiry grounded in empiricism and justified through argumentation. Truth is backed up discursively by identifying an indirect relationship between discourse and the objective world. This relationship is based on a direct relationship to "the constitutive speech acts by which we refer to entities when we use fact-stating locutions to represent states of affairs" (Habermas, 1990a, p. 61). Claims of truth are contained within speech acts (p. 60) and make a direct reference to the types of justifications that are used to understand the outside world.

Habermas calls his approach to truth "pragmatic epistemological realism" that operates as a "Kantian pragmatism" and offers a weak naturalism. Habermas views his approach as a middle ground between the viewpoints of realism and transcendentalism. The weak naturalism argues that nature, or our common objective world, exists independently of our cognitions of nature but is connected to our cognitions through a continuity with culture. This creates an evolutionary continuity with culture that can be viewed as a cognitively significant developmental process

embedded in our culture (Habermas, 2001, p. 29). Our cognitions of the natural world emerge through an ongoing learning process that has evolved naturally within culture (p. 29).

Pragmatic epistemological realism positions itself between the perspectives of realism and transcendental idealism, stating that discourse around the objective world is dependent upon experience and action. This theory offers that there is an objective world that is shared by all and it is this world that serves as the foundation for truth claims yet remains separate from our innerworldly understanding (Habermas, 2003, p. 27). This weak naturalism is combined with a weak transcendentalism which argues that experience with the world is ultimately filtered through language and culture. This weak naturalism intersects with the weak transcendentalism through our actions and the experiences embedded in our culture. Our interactions with the world demonstrate that “objects offer resistance” in the form of constraints. By dealing with these objects we are able to engage in a continuing evolutionary learning process which is embedded in the framework of sociocultural forms of life.

At the heart of this concept is Habermas’s pragmatist conception of knowledge, which argues that cognition is a dynamic process of problem solving and justification (Habermas, 2003, p. 26). This takes the pragmatist viewpoint that reality is to be experienced performatively and makes itself known to us through its constraints discovered in “our problem-solving activities and learning processes” (p. 27). Knowledge becomes the result of learning processes in three dimensions: the spatial dimension, the social dimension, and the temporal dimension. Knowledge in the special dimension “is the result of working through experiences of frustration by coping intelligently with a risk filled environment” (p. 26). In the social dimension learning takes place in argumentation where participants overcome objections through justifications. In the temporal dimension it is the continued testing and revisiting of mistakes which develops

current knowledge. Knowledge itself isn't constitutive of reality but guides how we interact with reality by operating within the common constraints that are present to all in the world.

In this viewpoint an individual's point of view becomes representative of actual knowledge but is not constitutive of the objective world. Knowledge is acquired through a socially embedded learning process which also reflects a society's interactions with the objective world. The validation of a truth claim is merely the agreement that the claim itself corresponds to the evolutionary learning process embedded in a person's society and an agreement to action according to that claim. This claim of "evolutionary learning" can produce a reading into the idea of inevitable progress. My read of "evolutionary learning," from the standpoint of an entire society, takes the approach that all scientific observations are inevitably tied to a person's cultural interpretation of science, and not necessarily a claim to progress. This claim is made without justification even though there are good arguments that a narrative of historical progress is embedded in Habermas's assumptions. The coordinated action itself is a further validation or refutation of the agreed upon claim through the temporal dimension of knowledge since the objective world has certain constraints which the action itself may discover. The fallacious nature of knowledge means that while a validity claim may be accepted as valid it does not necessarily mean it is true. Further action promoted by this acceptance may encounter constraints which contributes to further knowledge. The shared objective world resists our cognitive constructions, but those constructions determine how we approach the objective world.

Truth in this situation becomes a claim that mediates between "behavioral certainty and discursively justified assertibility" (Habermas, 1998b, p. 363). Uncontested truth claims represent a claim that draws from a broad series of intersubjectively scrutinized convictions, and exists in such a way that individuals can act with certainty upon the truth claim (p. 363). When a

truth claim becomes contested the individuals mutually partake in a debate centered competition for the better truth claim (p. 363). Once the truth claim is resolved the claim re-enters the realm of action whereby actors use the claim as the foundation for coordinated action. This Kantian pragmatism proposes that when people are discussing truth claims the final product isn't constitutive of the objective world. Rather the final product becomes a negotiation process of how each individual approaches that objective world.

Discourse ethics

Habermas's theory of discourse ethics is an expansion of the validity claim of normative rightness, which is a discursively justifiable validity claim. In this study normative rightness applies when individuals are discussing issues of morality as it concerns nuclear war. Habermas broke down his three validity claims based on the type of justification used to support those claims (Habermas, 1990a, p. 59). Truth and normative rightness are backed up discursively, meaning that they are redeemed by adducing reasons, while sincerity is backed up by consistent behavior (p. 59). There is a difference in the relationship between the discourse and truth, from the relationship of discourse to normative rightness. Of the discursive claims, claims to truth are backed up by an indirect relationship to the objective world. This relationship is based on a direct relationship to "the constitutive speech acts by which we refer to entities when we use fact-stating locutions to represent states of affairs" (Habermas, 1990a, p. 61). Claims of truth are contained within speech acts, while claims of normative rightness primarily reside in norms and are "only derivatively in speech acts" and are intrinsically linked to the social reality which are referenced by the claims (p. 60). These normative claims take on a unique position to mediate between language and the social world where their validity resides in the fact that we "complement them, at least in our minds, with actors who might follow them and actions that

might fulfill them” (p. 61). Normative claims make reference to states of affairs which we must assume to exist whether or not we actually make a normative proposition. The rational assumption is that a norm becomes valid once it is intersubjectively recognized within a community and receives the legitimacy afforded to establishing social currency within a society. From the view of moral relativism the acceptance of a norm within a social and historically situated community could be the end point of analysis, but Habermas complicates this assumption so that he may be able to determine if a norm is both recognized as well as justified.

Habermas outlined discourse ethics as a way to defend cognitive ethics from value skepticism and metaethical diversionary tactics in order to answer the question “of in what sense and in what way moral commands and norms can be justified” (Habermas, 1990a, p. 57). Because of this move away from moral relativism and toward a justification of norms the acceptance of normative propositions and their relationship to social norms does not mean that such propositional norms are automatically justified (p. 61-62). The problem with norms is that, to avoid relativism, a norm must be both intersubjectively recognized as well as being worthy to be recognized.

The process whereby a norm is intersubjectively recognized is confirmed within the speech act, however that recognition isn’t based entirely on good reasons. The validity of a norm within society rests upon both sanctions as well as convictions (Habermas, 1990a, p. 62). Every norm may contain both rationally motivated insight, as well as “empirical acquiescence, effected by weapons or goods, to form a belief in legitimacy whose component parts are difficult to isolate” (p. 62). Even once a norm is intersubjectively recognized, in order to maintain enduring acceptance the same norm must be able to be mobilized and receive legitimacy which is grounded in societal obedience to a norm. While a norm’s claim to validity are internally

connected to an existing state of affairs there isn't an internal connection between an existing state of affairs and the justifiability of such statements. That justifiability of a norm occurs within the realm of philosophy.

Habermas proposes a philosophical reconstruction of the basic assumptions of moral claims to provide a foundation for moral critique which doesn't become relativistic. In this reconstruction there are two principles that will guide the philosophical justification of a norm. Those principles are identified as the universalization (U) principle and the principle of discourse ethics (D). The universalization principle is grounded in the presupposition that regulates argumentation around norms. The presupposition is that in order for a norm to be considered valid, it must fulfill the following test:

(U) *All* affected can accept the consequences and the side effects its *general* observance can be anticipated to have for the satisfaction of *everyone's* interest (and these consequences are preferred to those of known alternative possibilities for regulation).

(Habermas, 1990a, pp. 65-66)

Habermas postulates that this formulation satisfies the basic assumptions of cognitivist, universalist, and formalist constructions of morality (Habermas, 1990a, pp. 120-121).

Drawing from this foundation of a rule of argumentation that is grounded on a reconstruction of the basic assumptions of various moral theories, Habermas then proposes a procedure for practical discourse which is "a procedure for testing the validity of norms that are being proposed and hypothetically considered for adoption" (Habermas, 1990a, p. 103). This principle is discourse ethics and is drawn from the U principle. Discourse ethics (also called the "discourse principle" depending on translation, see: Habermas, 1996) postulates that "(D) only those norms can claim to be valid that meet (or could meet) with the approval of all affected in

their capacity *as participants in a practical discourse*” (Habermas, 1990a, p. 66). The successful application of this principle comes with two assumptions,

(a) That normative claims to validity have cognitive meaning and can be treated *like* claims to truth and (b) that the justification of norms and commands requires that a real discourse be carried out and thus cannot occur in a strictly monological form, i.e., in the form of a hypothetical process of argumentation occurring in the individual mind.

(Habermas, 1990a, p. 68).

Discourse ethics outlines a basic idea of a moral theory but needs (U) in order to outline a basic theory of argumentation (p. 93). This theory doesn’t stipulate any actual norms rather it requires content from an outside source (p. 103). This content is then “subjected to a process in which particular values are ultimately discarded as being not susceptible to consensus” (p. 103).

Habermas is concerned with questions of action, defined as mastering situations, which taken communicatively involves both creating an action plan and coordinating a shared interpretation of the situation (Habermas 1990a, p. 134). Practical problems occur when a situation has to be mastered, or consequences will occur (Habermas, 2001, p. 2). With normative questions this involves practical questions which regulate how one ought to act. Discourse ethics functions differently depending on whether the norm is being used to regulate questions of pragmatism, ethics, or morality. Pragmatic reason revolves around questions of “what should I do?” (Habermas, 2001, p. 3) and is grounded in the empiricist interpretations of practical reason (p. 10). In this realm, actions are evaluated exclusively through the practical steps needed to achieve a goal. Ethical questions deal with more complex questions of “what should I do” or “ought” questions which are not absolute (p. 3-5) and is grounded in the Aristotelian interpretations of practical reason (p. 10). Ethical questions add the additional question of

choosing between different actions based on which is “good” or would lead to a “good life” (p. 3-4). Moral questions address the further concern of what to do once questions of ethics begins to affect the interest of others, and create possible conflicts (p. 5) and is grounded in the Kantian understanding of practical reason (p. 10) .

Asking a pragmatic, ethical, or moral question requires a different performative position for each stance. Pragmatic questions only require the desire of an end goal in mind and an understanding of what steps to go through to reach that goal (Habermas, 2001, pp. 2-3). Ethical questions take the point of departure in a particular self-understanding and form of reflection, the telos of one’s own life, to establish what would be considered the “good” for an individual (pp. 4-5). Moral questions seek to regulate interpersonal conflicts and examine how one’s own maxims are compatible with the maxims of others (p. 6). In this case a maxim is considered “the smallest units in a network of operative customs in which the identity and life projects of an individual (or group) are concretized; they regulate the course of daily life, modes of interaction, the ways in which problems are addressed and conflicts resolved, and so forth” (p. 7). Maxims are the products in both ethical and moral deliberation. Maxims developed in ethical deliberation address whether a maxim is good and appropriate for an individual developed under the subjective goals and preferences grounded in an understanding of an individual’s own life and life history. Maxims developed in moral deliberation separate themselves from the egocentric self-analysis and becomes generalizable based on the perspectives of all who are possibly affected. Rather than being grounded on what one should do to achieve the good life, it becomes something that one ought to do regardless of individual goals because to do so is just, and a duty (p. 7-8).

Habermas separates moral and legal norms, and this separation identifies the mechanism and function of democracy. Moral norms are used to regulate interpersonal relationships between actors who recognize each other as individuals, as well as members of a concrete community (Habermas, 1996, p. 112). Legal norms regulate interpersonal relationships and conflicts between individuals who are members of an abstract community which is regulated through the legal norms themselves (p. 112). Within the intersubjective relationship of two close actors who recognize each other as important to each other's lifeworlds, and who are both attempting to reach understanding through rational communication, the U and D principles become the underlying assumptions of normative discussions. The D principle becomes the philosophical foundation of the systems of democracy within the larger context of governance (Habermas, 1996, pp. 121-122).

Laws grant members the benefit for being able to coordinate action without the illocutionary burden of engaging in communicative action with other members of society (Habermas, 1996, pp. 119-120). They grant a system of rights which "citizens must mutually grant one another if they want to legitimately regulate their life in common by means of positive law" (Habermas, 1996, p. 118). Laws serve a dual purpose: first they define rights that are granted to members of the society, and secondly they propose external constraints on the range of options for coordinating action (Habermas, 1996, p. 119). The tie in between laws and norms occurs because laws have to be intuitive from members of a society. Citizens within a democratic society must recognize themselves as the authors of positive law and must be able to obey such laws on the basis of insight coming from a familiarity with the norms of said society (Habermas, 1996, p. 121).

Deliberative politics

It was in Habermas's theory of law that he refined this procedural understanding of democracy and society. The legitimizing process of the public sphere still found its function as an informal self-organizing intermediary between civil society and the state. In this function the public sphere works as a gage on how well the government was doing in representing the public will. Law became an arena whereby society's morals were both codified and debated. In this process institutional procedures were put in place to limit control from instrumental actors. This is particularly evident in areas such as courts of law and distribution of government services where it is unlikely that individuals can be impartial. These governmental procedures, which are focused on limiting the instrumental communication, can be interrogated as to their effectiveness in limiting instrumental actors while allowing the lifeworld to remain coupled with the systems world.

Habermas identifies this new conception of democracy as deliberative politics. This conception of society integrates elements from two normative perspectives of democracy: that of the liberal conception, and of the republican conception (Habermas, 1998a, p. 239; Rehg, 1996, p. xxiv). The liberal conception conceives of the democratic process as occurring through compromises between competing interests in society, while the republican conception views democracy as being constituted through a deliberative moral discourse where individuals establish the common good. Deliberative politics recognizes a separation between the state and public sphere and creates a normative model which accounts for these differentiations yet requires a rational deliberation at all levels. Society is separated into three distinct functions: that of societies solidarity, that of the economic sphere, and that of the administrative body. The economic and administrative areas are held in check through the regulative powers found in

society's solidarity, which are the institutionalized and informal public bodies. The institutionalized bodies are given the authority to act and create regulative legislations, while the public sphere acts through formal and informal communicative channels to steer the institutional bodies. This creates a normative conception of democracy which can regulate specialized and strategic interests and operate in a post-metaphysical pluralistic society.

Deliberative politics combines elements from both the liberal and republican view to create a "concept for ideal procedure for deliberation and decision making" (Habermas, 1996, p. 296; 1998a, p. 246) which gains its normative content "from the validity basis of action oriented to reaching understanding" (Habermas, 1996, p. 297; 1998a, p. 249). A deliberative politics approach views the political process as an intermingling of dialogical and instrumental interests which can "interpenetrate in the medium of deliberation if the corresponding forms of communication are sufficiently institutionalized" (Habermas, 1996, p. 295; 1998a, p. 245). This process operates under the presumption that "reasonable and fair results are obtained insofar as the flow of relevant information and its proper handling have not been obstructed" (Habermas, 1996, p. 296; 1998a, p. 249). . Legitimation of the political structure is obtained through the processes which create a rational model of governance by insuring a deliberative process at all levels of governance (Habermas, 1996, pp. 295-296; 1998a, pp. 245-246). Under this view the normative criteria for effective political discourse moves away from standards of human rights or specific community values and moves into procedural criteria for rules of discourse and argumentation (Habermas, 1996, p. 296; 1998a, p. 246). The normative basis for these process is based in the "higher-level intersubjectivity of process of reaching understanding" which form arena's from which "more or less rational opinion- and will-formation can take place" both inside and outside the institutional deliberative bodies (Habermas, 1996, p. 299; 1998a, p. 249).

Public sphere and the political sphere

Deliberative politics understands the political process as dependent upon both institutionally regulated parliamentary bodies and the self-organizing public sphere each of which have specific deliberative operations within society. In this conception Habermas abandons the philosophy of consciousness which conceives of the citizens as either a macro-body composed of their practice of self-determination or which forces the rule of law upon competing autonomous bodies (Habermas, 1996, p. 298-299; 1998a, p. 248). Like liberal theory Habermas separates society into “state” and “society” and makes a further distinction between “solidarity,” “money,” and “administration” (Habermas, 1996, p. 299; 1998a, p. 249). These three resources satisfy a society’s need for integration and steering (Habermas, 1996, p. 299; 1998a, p. 249). Under deliberative politics the formal and informal bodies of institutional organizations and the public sphere, the source of a societies “solidarity,” are distinct from economic systems and the area of public administration (Habermas, 1996, p. 299; 1998a, p. 249). This separation creates the normative demand that integrative force of solidarity should develop through deliberative procedures coming from the self-organizing public spheres, as well as the legally instituted deliberative processes and decision making procedures in order to hold the economic and administrative powers in check (Habermas, 1996, p. 299; 1998a, p. 249). This theoretical separation maintains the distinctions between the systems and the lifeworld established in Habermas’s earlier conceptions of democracy (1987). That separation also keeps the same normative critique that the system’s world should be regulated through the legitimizing force of the lifeworld.

A deliberative political perspective sees a separation between decision-oriented deliberations, which are those deliberations which are empowered to act and are regulated

through institutionalized democratic procedures, and the informal opinion formation that occurs in the public sphere (Habermas, 1996, p. 307). These two deliberations are differentiated as occurring through institutionally regulated procedures as well as within the informal unconstrained public sphere. Habermas defines the role of the institutional organizations as having the power to act through collectively binding decisions (Habermas, 1996, p. 299-300; 1998a, p. 250). These decisions are deliberated on by elected officials within discursive arena's that are procedurally restricted to limit the amount of private interests and strategic action within these spheres. The public sphere functions as a self-organizing autonomous body whose communicative networks work to respond to societal problems and, through democratic procedures, channel administrative power to correct those things it identifies as issues within society (Habermas, 1996, p. 300; 1998a, p. 250). Decisions made by the institutional bodies ought to reflect the will and norms of the public which that institution represents. The unconstrained public sphere has no official capacity to enact binding decisions but engages in deliberative discussion and, through official institutional procedures including the elections of representatives, guides the institutional bodies to act upon the discussions occurring within the public sphere.

The public sphere becomes the informal public body from which public opinion is formed; while the parliamentary bodies act upon that public opinion to make decisions regarding problems discovered by the public sphere (Habermas, 1996, p. 307). Deliberative politics relies upon the interplay between the institutionalized will-formation found in the spheres of parliamentary bodies, and the informal opinion-formation of the public sphere (Habermas, 1996, 308). These "weak" publics form public opinion but do not engage in decision making (Habermas, 1996, p. 307n26). The political public sphere is responsible for the formation of

public opinion and through that public opinion steer and regulate the institutional body's formation and discussion (Habermas, 1996, p. 307). It becomes the role of the public sphere to identify problems within society and to "determine how deliberations are structured through argument and specified in regard to the matter at hand" (Habermas, 1996, p. 307).

The purpose of parliamentary bodies is to streamline political decisions which cannot be effectively solved through deliberation in the public sphere. In a complex society the public sphere and parliamentary bodies have been separated to relieve the already overburdened discursive arena of civil society from problems of social integration (Habermas, 1996, pp. 317-318). Deliberative politics views the political process as being "a reflexively organized learning process that removes the burden on latent processes of societal integration while continuing these processes within an action system specialized for this relief work" (Habermas, 1996, p. 321). The political system, through the institutionalized democratic process and specifically through the legal system, takes over when communicative action becomes an ineffective means to organize society (Habermas, 1996, p. 327).

This separation raises three normative questions for deliberative politics the first two having the same solution. The first question is how does an increasingly complex society translate public opinion from the public sphere into the sphere of deliberative decision making? The second question is how does this separation between public opinion and action prevent strategic actors from influencing the process? The answer for these two questions is that in order for discourses within the public sphere to translate into parliamentary action it must pass through the democratic process steered by communicative power into the constitutionally organized systems of power (Habermas, 1996, p. 327-330). These democratic systems include the process of voting, balance of power, constitutional procedures, parliamentary procedures, and procedures

of law. The third question, which is more complex, is how does the public sphere legitimate the decisions from the parliamentary bodies?

Both the public sphere and the parliamentary bodies are separated by the different functions of those two bodies but must remain tied to one another through the legitimizing function of the public sphere. Both run the risk of becoming independent of each other, which would result in a legitimation crisis for the political sphere. As an ideal the public sphere should operate through communicative action to perform social integration within society (Habermas, 1996, pp. 227-232). This ideal cannot function within a complex society; however it still forms the ideal that legitimate social integration occurs through communicative action within the public sphere (Habermas, 1996, p. 330). As a normative standard social integration cannot be legitimately carried out in a “systems-paternalistic fashion” or in a way that bypasses the communicative power of the public sphere. This is because institutionalized opinion- and will-formation depends upon “the supplies coming from the informal contexts of communication” found in the public sphere (Habermas, 1996, p. 352). Moreover specialized systems within the lifeworld, such as education, family, or social integration, do not operate in separate spheres but rather are all connected through the medium of communication (Habermas, 1996, pp. 352-354).

Public opinion formed in the public sphere can only move from the informal public sphere into the formal political sphere if it passes through the institutionalized democratic procedures of opinion- and will-formation and enter into parliamentary debates (Habermas, 1996, p. 371). This circulation of information is countered by a countercirculation of information moving from the political sphere into the public sphere (Habermas, 1996, pp. 356-357). This countercirculation isn’t necessarily distortion but rather help to relieve the burden of complexity by breaking up problems into smaller components (Habermas, 1996, p. 357). In moments of

crisis lawgivers can have the final say in problems of conflicted public opinion (Habermas, 1996, pp. 357-358). In order to justify this move a set of capacities needs to be elaborated upon that “ferret out, identify, and effectively thematize latent problems of social integration (which require political solutions),” as well as a set of circumstances that warrant the use of such a move (Habermas, 1996, p. 358).

Habermas’s analysis discusses multiple ways that the political sphere can be legitimated through the public sphere. This starts from the most direct method of having the public sphere directly engage the public sphere, having specialized actors ignite public sphere discussion, to having the political sphere directly engage the public sphere in a time of crisis. Habermas argues that in a complex society each of these methods can prove to be a form of legitimate communication provided that the parliamentary decisions are grounded in the values of the society as determined both by the public sphere and through the already established body of law (since the body of law is the systemized representations of the values of society). In a complex society law becomes the bridge between society’s norms and the system’s world of administrative power.

Each time the communicative flow from the public sphere is interrupted or bypassed by either actor civil society, or the political sphere, has to deal with the overburdening of social integration within the public sphere. This overburdening of social integration in a pluralistic postmetaphysical society creates a new need for a separation between the public sphere and the political sphere. Habermas has identified that the political sphere and public sphere are separated by differing functions. The public sphere serves as both the legitimizing force for society’s social integration as well as a communicative network which identifies problems within society and guides the political sphere on where to direct attention. The political sphere is given the power to

act upon problems identified by the public sphere and creates solutions for those problems. To maintain a legitimate government the public sphere is connected to the political sphere through the institutionalized structures of democracy which maintain a flow of communication from the public sphere to the political sphere. The test for decisions made in the political sphere is to see if those decisions represent the normative standards existing within society, and do those decisions reflect the current legal standards within the constitutional democracy. Within the context of social integration the decisions implemented by the political sphere cannot bypass the communicative power of the citizens and still operate for social integration (Habermas, 1996, p. 352).

Habermas is very specific on how the political sphere is justified through the public sphere. Carrying over from his earlier work in the *Theory of Communicative Action* v.2 (Habermas, 1987) Habermas maintains that the political sphere is tied to the public sphere through the system of law. His most recent work maintains this statement and asserts that, in a constitutional democracy, decisions made in the political sphere must both operate within the existing legal structure as well as reflect the norms of society which is negotiated through communicative action within the public sphere. I postulate that even in instances of an autonomously acting political sphere there can still exist a legitimizing operation coming from communication found within the public sphere.

Debates on Habermas and rhetoric

Habermas's theory covers a large body of scholarship and academic disciplines; so instead of offering all the criticisms which have been leveled on Habermas, for purposes of space and clarity, I will focus specifically on the concerns raised by rhetoricians as they relate to this study. Habermas's philosophy has challenged rhetoricians who question if Habermas's

normative standard is compatible with some basic rhetorical assumptions and methodologies. Habermas's critical observations of the public sphere are particularly appealing to a field that, arguably, was founded in studies of how to use public discourse to affect society. While some scholars find a lot of useful observations in Habermas's framework, many are skeptical of Habermas's normative claims of rational communication and how those claims may undermine some rhetorical projects. Particularly Habermas's skepticism of strategic communication and apparent dismissal of aesthetics from his normative structure have caused rhetoricians to call for a restructuring of Habermas's theory to make it more compatible with rhetoric. These attempts at changing Habermas's theory are usually based on a strict or limited read of Habermas's work and are not fully accurate when put in the context of Habermas's project as a whole. Habermas's writings address many of these concerns and, when read as a whole, provide scholars with a template for a Habermasian rhetorical methodology that is not necessarily incompatible with foundational points in the United States tradition of rhetoric; however that methodology may push against individual assumptions of rhetoricians.

I will start with Rehg's (1997; 2003; 2009; 2011; 2013) model of argumentation that tries to conceptualize a Habermasian rhetoric focused in argumentation around Habermas's theories of science. This reformulation shows how rhetoric and Habermas's theory of communicative action are compatible with rhetoric. Rehg works within an argumentation studies approach and outlines how rhetoric is central to Habermas's project. Next, I will address Peters (1993) concerns that develop a theory of mass media from Habermas's public sphere work. Finally, I will look in detail at Farrell (1993) who offers a provocative read of Habermas in order to offer a theory of rhetoric grounded in Habermas's normativity but informed by Aristotle. This outline demonstrates that Habermas has already developed a theory of reason and rhetoric that accounts

for the aesthetic use of language, the strategic shaping discourse for a specific audience, the ability of language to develop and propagate worldviews, the use of fiction or hypotheticals within rational discourse, and the rhetorical use of metacommunicative codes that identify play, irony, etc. My study's construction of Habermas's methodology resists claims that Habermas hasn't adequately accounted for elements that are foundational to the tradition of rhetoric.

Rhetoricians have three main criticisms of Habermas. The first is the argument that Habermas's view of rationality insufficiently accounts for the use of artistic speech in public discourse (Charland, 1994; Farrell, 1993; Peters, 1993). A second main argument views Habermas's theory of communication as too ideal in general to account for actually occurring communication (ex: Farrell, 1993; Hauser, 1999; Mouffe, 1999). Within that second criticism there is a large body of work that argues that Habermas's use of speech acts to distinguish between communicative and strategic action fundamentally misrepresents speech act theory (Bohman, 1988; Cooren, 2000; Farrell, 1993; Skjei, 1985; Wood, 1985). And a final criticism argues that Habermas's normative assumptions are incompatible with rhetoric due to his criticism of strategic communication (Charland, 1994; Farrell, 1993). For the purposes of this study I will focus on the rhetorical reformulations of Habermas's theory so that I will be able to develop a uniquely Habermasian rhetorical approach. This interpretation is informed by Rheg's understanding of rhetoric within Habermas's model but will move away from Rheg's argumentation approach and outline a rhetorical epistemology and methodology in the next section.

Habermas's theory of communicative action can be explained through a rhetorical lens, which places rhetoric at the center of Habermas's conception of the communicative process. Habermas explicitly addresses distinctions between the performance and analysis of rhetoric; or

as shaping discourse for a particular audience (Habermas, 1984) and the study of texts in general that has a world creating function (1990, p. 190). Rheg argues that while Habermas doesn't specifically call it rhetoric within Habermas's conception of argumentation are assumptions that he states are rhetorical. According to this interpretation Habermas's normative assumptions are maintained and allow for creative elements to exist in a rational process. Habermas originally argues that rhetoric is part of the argumentative process along with logic and dialectic and that each of these parts have standards for evaluating the effectiveness of an argument. Habermas also discusses how rhetoric is used to take expert discourses and make them relevant to a general audience for the purpose of problem solving. Habermas's definition of rhetoric is limited and there isn't any indication that Habermas intended to map out a complete picture of the rhetorical tradition with this treatment; however Habermas fails to offer a more substantive treatment.

In Habermas's work he directly discusses rhetoric in two places, first in the *Theory of Communicative Action* (1984), next in his discussion of Derrida's use of literary theory as philosophy (1990b). Both of these accounts are limited and do not attempt to fully explain rhetoric but do show how Habermas is sympathetic with the rhetorical project. First I will discuss Habermas's first mention of rhetoric which conceptualizes it as part of the triadic model of argumentative speech. I will discuss his criticism of Derrida below after the discussion of Peters' criticism of *The Structural Transformation of the Public Sphere* (1991).

Habermas directly identifies the rhetorical process as part of a triadic model of argumentative speech that analyzes argumentation through the fields of rhetoric, logic, and dialectic (Habermas, 1984, p. 25). Habermas's investigation attempts to answer the question of how someone can judge an argument as stronger or weaker from another argument on the basis of good reasons (Habermas, 1984, p. 24) and is aligned with the basic presuppositions within

argumentation (Habermas, 1990a, p. 87). The triadic model allies itself with contemporary discussions in the realm of argumentation and loosely ties the Aristotelian perspectives of logic, dialectic, and rhetoric with the traditional three aspects of argumentation—procedure, product, and process (Rehg, 1997, p. 360; 2003, p. 164; 2009a, p. 132; 2013, p. 469; Wenzel, 1979; 1990). This triadic model moves beyond analytical philosophy and avoids the problem with argumentation and formal logics; “formal deductive logics are of limited usefulness [in argumentation]...the conclusion adds nothing to what was already in the premises” (Rehg, 1997, p. 359). This investigation shouldn’t be understood as a full descriptive account of subdisciplinary practices but rather as a heuristic proposal for evaluating arguments (Rehg, 2013, p. 470). The triadic model of argumentation proposes that there is a standard of argumentation where competent arguers have an intuitive sense of rational persuasion and “bogus forms of winning agreement, based on stifling dissent, bullying, disinformation, subterfuge, and the like” (Rehg, 2013, p. 471).

Habermas uses the triadic model to back up the assumption that good arguments follow a dialectical process of proposing and addressing arguments, producing logical statements that translate into knowledge, and rhetorically addressing an ideal audience (Habermas, 1984, pp. 25; Rehg, 2003, p. 165). The internal relationship between each argumentative approach needs each of the others in order to create a full understanding of argumentation. The logical evaluation of arguments tests an argument through normative standards such as “the law of noncontradiction and consistency in the application of predicates” (Rehg, 2009a, p. 132; see also Habermas, 1990a, p. 87). In order to achieve cogency a logical argument must be prepared for a dialectical testing, or ritualized competition, “in which its support and conceptual assumptions are submitted to further questioning” and is necessary in order to reach argumentative closure (Rehg,

1997, p. 363; 2009a, p. 133). Rhetoric helps to answer the question of what counts as a relevant question within the dialectical process. Complex questions require the cooperation of other people to assure that all the relevant questions have been answered in arriving at a solution (Rehg, 1997, p. 364). This opens the door to the intersubjective character of the complex argument that relies upon the dispositions and capacities of the participants in order to raise and answer the relevant questions (Rehg, 1997, pp. 364-365). Understanding the relevant question also moves the process considerations to the level of idealizations of openness of the argument and quality of the participation in order to assume a rational solution (p. 365). Habermas's account of rhetoric doesn't expel traditional rhetorical considerations such as "character appeals, emotional arguments, stylistic flourishes, and so on" but it subjugates those forms to the argumentative model that utilizes logic and dialectic (Rehg, 1997, p. 365). Logic determines the internal logics within an argument, dialectic tests those logics by introducing those arguments to different questions, and rhetoric ties those arguments to the lives and experiences of the participants making an argument relevant or irrelevant to the audience.

Habermas's rhetorical approach envisions constructing an argument for the purpose of reaching the ideal audience (Rehg, 1997, p. 361; 2009a, p. 135). In order to construct a rational consensus, the ideal audience comes with the presupposition that the argument is free of coercion, and that all competent speakers are allowed to participate (p. 361). If either of these presuppositions are violated then there are grounds for reopening the argument (p. 361). Rehg points out that this conception of rhetoric as argument free of coercion is problematic as it moves away from the traditional conception of rhetoric that focuses on "the means of effective persuasion for specific occasions and particular audiences" (p. 361). Rehg argues that to

understand this conception of rhetoric, one must first look at the internal relations between rhetoric, logic, and dialectic within this argumentative structure (p. 361).

The triadic understanding of argumentation not only implies a dimension of argument making but also provides an evaluative standard of critique that is able to determine if something contributes or undermines rational argument making (Rehg, 1997, pp. 365-366; 2013, p. 469). With this critical interpretation of the triadic argument model the products of argument content can be considered either logical or illogical; argument can be dialectically tested relative to competing arguments to determine if they cover all relevant considerations or be accused of suppressing certain considerations; and individuals can either address an ideal audience under open and free conditions, or be accused of distorting the argumentative process excluding certain people, or succumbing to self-deception in the face of considerable evidence (Rehg, 1997, p. 366; 2013, p. 469). Habermas conceives of the tradition of rhetoric as being part of argumentation that focuses on how an actor constructs an argument in relation to her audience and what makes an argument relevant to that audience's experience. An actor makes an argument relevant to her audience by choosing how to construct that argument, within the limitations of logic and dialectic, and by choosing rhetorical forms to adorn the argument.

Habermas's theory in some ways relies upon a rhetorical understanding of communication as opposed to philosophical logical determination. Within Habermas's understanding of communication speakers adjust their discourse according to audience and can fail to establish a consensus even when all of Habermas's normative criteria have been met. Within Habermas's rational model an individual envisions their audience and structures their argument according to what would be most persuasive for that audience. Habermas explicitly identifies this as rhetoric. Regh makes the further argument that rhetoric explains the process

where individuals who are acting free of coercion can come to different conclusions in the same argumentative environment. This process is different from philosophy that commonly argues that through correct processes one option is necessarily better than another, rhetoric explains how an audience can be moved to choose one option over another when neither option is necessarily the most correct. Habermas does not explicitly address this circumstance within his model but he does leave the possibility open that an audience free of coercion may come to different conclusions within the discursive process. These two points within Habermas's model do not run contrary of either Habermas's normative standards or the traditional assumptions of rhetoric.

Some understandings of rhetoric can run counter to Habermas's process standards that are seen as largely formal and transcendent existing in the dialectical realm rather than offering a space for rhetorical engagement (Rehg, 2013, p. 476). Regh proposes a more sympathetic interpretation of the process standard stating that the critical use of the process standards "must rely on specifically rhetorical modes of analysis" (Rehg, 2013, pp. 476-477). Regh identifies two modes of analysis: first, that process idealization provides a heuristic that can critically scrutinize rhetorical modes that speakers employ; second, that process idealizations "call for rhetorical adequacy at three levels of social organization: individual psychology, group dynamics, and institutional setting" (Rehg, 2013, p. 477). These modes show that, while Habermas's process idealization formalizes rhetoric, "it nonetheless presupposes a more substantive rhetorical analysis (Rehg, 2013, p. 477). This conception of rhetoric within Habermas's formal processes moves rhetoric away from simple argumentation content and necessitates analysis that is informed by communication studies, media studies, and sociological analysis (Rehg, 2013, p. 477). Rhetoric as the shaping of discourse for a particular audience works alongside logic and dialectic and it is not submissive to these two forms but rather operates on its own set of

understandings. This understanding of rhetoric in Habermas's model is separate from those places where Habermas actually discusses rhetoric within his writing.

Habermas's actual account of Rhetoric is limited and it reduces rhetoric to a logo centric dialectically oriented rhetoric. This definition conceives rhetoric simply as an understanding of the participant's subject positions (Rehg, 2009a, p. 137). Regh offers a reinterpretation of Habermas's theory that positions rhetoric "as a further dimension of dialectic" that offers a better understanding of the "socio-psychological substance of argumentation" (Rehg, 2009a, pp. 137-138). Regh argues that rhetorical argument explains the interpretive moment where both parties in an argumentative situation come to different conclusions sans coercion or any problems with the argument. This new interpretation of rhetoric within Habermas's spectrum maintains Habermas's distinctions, and Regh says that an understanding of rhetoric and rhetorical forms is necessary to understanding Habermas's argumentative norms. .

According to Regh Habermas's theory accounts for the procedural conditions that open the possibility of rational assent, but it lacks the coercive character of pure logic that would necessitate that one decision be chosen over another in ideal circumstances, producing a theory of argumentation that has no definitive algorithm for determining what answer is better than another (Rehg, 1997, p. 368). With this lack of certainty there is the possibility that a person could choose one side or the other within a rational situation, and this choice can be accounted for by various contextual contingencies rather than some logical or dialectical flaw (Rehg, 1997, p. 367; 2009a, p. 138; 2013, pp. 483-484). These moments of reasonable disagreement demonstrate the possibility of "subtle interpersonal differences and imperfections in conscientious judgments that estimate the relative plausibility of competing arguments fraught with ambiguities and uncertainty" (Rehg, 2013, p. 484). Contingencies within an otherwise

uncontested argumentative environment become what is traditionally associated with rhetoric and show how rhetoric operates within Habermas's theory. These rhetorical forms take on an aesthetic quality, and the functions of rhetorical forms need to be accounted for within a Habermasian rhetoric. While Rehg offers a sympathetic read of rhetoric within Habermas's model, other theorists have been critical of Habermas's treatment of rhetoric.

Peters (1993) is concerned with Habermas's use of representative publicity within the context of Habermas's investigations into the public sphere. Peters, reading almost exclusively from *The Structural Transformation of the Public Sphere* (Habermas, 1991), argues that Habermas has stripped the aesthetic dimension from his understanding of rational speech. According to Peters, Habermas's rational communication does not allow for adornment or style; "avoid graven images and bear no false witness: the second and the ninth commandments anchor Habermas's theory" (Peters, 1993, p. 563). For Peters, in this argument, rhetoric represents the aesthetic within mediated culture, a world building device that allows society to be represented and understood outside the first hand experiences of present observers. The problem Peters identifies in Habermas's work is the fact that "some form of representation, some fiction of the whole might be the very thing to allow a common backdrop for participation" (p. 565). Without allowing for some legitimate use of fictional elaboration within public speech, especially in a mass mediated culture the very publics that Habermas argues are foundational to democracy can never form. Peters offers the solution that some form of representing reality is necessary, especially in a mediated society, because it is the rhetorical construction of place within the mass media "which gives a collective image of the collective" (p. 566). Without this use of rhetoric society is left to the experts (p. 566). Peters's analysis focuses primarily on the role of mediated democracy in *The Structural Transformation of the Public Sphere* and doesn't make use of

Habermas's criticisms of Derrida, which actually addresses Peters's concerns and develops an aesthetic theory of language.

Habermas addresses the rhetorical forms of language while discussing Derrida's attempt to solve the performative contradiction of the totalizing self-critique of reason². Derrida's solution is to here is to expand "the sovereignty of rhetoric over the realm of the logical" (Habermas, 1990b, pp. 187-188). Taking a very Aristotelian approach Habermas argues that, in the case of the philosophical critique of metaphysics, logic ought to be privileged over rhetoric. In that critique Habermas identifies rhetorical forms as being the domain of literary criticism and focused on style. Rhetoric in its pure form is the self-referential poetic expression that is the "language of fiction specialized for world-disclosure" (p. 209). This pure form of poetic speech allows for the linguistic creation of new worlds. This world disclosing function of rhetoric, in its pure form, detaches illocutionary force from the binding presence of the real world function of validity claims. This detachment occurs because rhetoric is able to provide a listener with self-referential literary situation that allows "for the pure demonstration of the world-disclosing force of innovative linguistic expressions" (p. 201). Rhetorical works mimic the illocutionary forces by imitating a series of speech acts that have no other existence except for within the rhetoric itself (p. 201). This function becomes evident in all discourses but works alongside other modes of reasoning within specific expert discourses. A Habermasian way of understanding this critique is

² The totalizing self-critique of reason is the move used by the rational critics who argue that it is impossible to ignore the contingencies inherent within forms of reason, the inability for the sovereign rational subject to ignore their subjective positions, and the inherently social character of the participants which collapses the basic assumptions of reason (Lawrence, 1990, pp. iix-ix). This critique becomes paradoxical in that subject centered reason can only be critiqued from the tools of subject centered reason (Habermas, 1990, p185).

to argue that we must not engage in discourse that completely suspends the “truth” validity claim.

Rhetoric only becomes fully constitutive of the logic of argumentation in poetic discourse, while in other realms of discourse rhetoric becomes a tool for problem solving subordinated to various practices and validity claims. Habermas offers a list of specialized languages broken down into sections (p. 209) that are regulated the dominant validity claim or systems world media; science and technology with truth, law and morality with normativity, economics with money, and political science with power. Sincerity is left out of this list; however in an earlier work places Habermas identifies sincerity as being foundational for the expert discourses of therapeutic and artistic critique (1984, p. 332). Earlier in the same text he identifies sincerity with therapeutic discourse reserving artistic critique for aesthetic claims (p. 23). Rhetorical forms help bring expert discourses into real world argumentation.

In each expert discourse Habermas is making the argument that while rhetoric is present in every interaction the use of rhetorical forms are submissive to the logic of argumentation and the good reasons found in various validity claims or media that dominate expert discourses. Rhetoric here expands these technical languages to the extent that indirect communications are deliberately given manifest statements that connect technical discourses that function in the expressions of only one claim, and everyday practices where all validity claims are present (1990b, p. 209). This function isn’t pathological provided that the discourse maintains the problem solving capacity of argumentation and the logics that regulate the various media or validity claims (2009b, p. 208).

Habermas, in this treatment, places rhetoric as aesthetic critique outside the realm of criticism through validity claims, which is focused on mediating expert culture with the everyday

world (Habermas, 1990b, pp. 206-208). Rhetoric is present in every linguistic interaction but is regulated by either the practice of everyday life or “enlisted for special purposes of problem-solving” (Habermas, 1990b, p. 209). This bridging function of rhetoric, described in its pure form as literary criticism, translates expert discourses into the language of the everyday world (Habermas, 1990b, p. 208). Habermas’s normative claim on rhetoric is that rhetorical elements are actively functioning within everyday linguistic act and those acts ought not to become so rhetorical so that the “illocutionary acts lose their binding force to coordinate action” (p. 203). As long as the regulative function of the validity claims embedded in the speech act remain intact the function of rhetoric doesn’t overtake communicative rationality. Habermas explains

Even in the cases adduced for the sake of comparison, the communicative functions of the speech acts remain intact insofar as the fictive elements cannot be separated from contexts of life practice. The world-disclosive function of language does not gain independence over against the expressive, regulative, and informative functions. (p. 203)

The difference between rhetoric employed in everyday discourses from literature is based on how much the world-disclosing function of language dominates other linguistic functions (p. 202). Discourse in all forms contains rhetorical elements and those elements supplement everyday discourses’ function to coordinate action. Linguistic interactions like teasing versus insulting, telling stories versus giving testimony, being ironic versus being misleading are all based in how rhetoric’s world disclosing function suspends part of an illocutionary act while maintaining the binding force of coordinating action (Habermas, 1984, pp. 331-332; 1990b, pp. 202-203). This demarcation into the levels of play relies upon “intentionally confusing modalities of being” (1984, p. 331). Language oriented to reaching understanding can effectively employ rhetorical elements provided that the rhetoric doesn’t become self-reflective (1990b, p.

204). The use of rhetoric becomes pathological when it suspends those linguistic functions that support the validity claims that allow the coordination of action between individuals (p. 204). .

Another distinct argument against Habermas analyzes Habermas's use of speech act theory where he appropriates speech acts to explain strategic and communicative action (Habermas, 1984, pp. 286-337). This criticism addresses Habermas's use of communication to reach understanding versus strategic communication but from the viewpoint of using speech act theory to engage in those distinctions. Critics identify that Habermas's essentialist formulation of illocutionary and perlocutionary acts as communicative and strategic action, respectively, complicate the original intentions of speech act theory (Bohman, 1988, p. 188; Cooren, 2000; Farrell, 1993, pp. 193-197; Skjei, 1985, pp. 87-90; Wood, 1985, pp. 157-162). Each of these critics argue that Habermas doesn't offer a full understanding of the complexities of speech act theory and his re-formulation is inadequate when applied to actual speech acts.

Habermas's response to these criticisms is that his use of speech act theory is simply to investigate the mechanism of mutual understanding and isn't for the analysis of communicative action in general (Habermas, 1985, p. 106). This distinction becomes important in that the theory of communicative action isn't constituted by speech acts. More importantly strategic action isn't defined as perlocutionary acts but rather some perlocutionary acts are defined as strategic communication. The definition of strategic communication isn't intention broadly defined but rather is defined as communication where the sincerity validity claim is suspended so that someone arrives at a pre-set conclusion. The foundation of Habermas's investigation into speech acts is to show how strategic action is parasitic on communication to reach understanding. Habermas argues that every strategic action is founded on communication to reach understanding

and only becomes latent strategic action when a person infringes on the presuppositions of communicative action (Habermas, 1985, p. 108).

Farrell offers a conception of rationally motivated rhetoric that argues that Habermas's Kantian *theoria* overwhelm its *praxis* and undermines "normative impetus and inventional power in the conduct comprising Habermas's own public sphere project" (Farrell, 1993, pp. 192-193). This criticism is dependent on a contestable read on Habermas's work that is grounded on inflexible categories of perlocutionary and illocutionary acts and interactions that disregard any context outside the linguistic. This read is provocative, if not dubious (Rehg, 1997, p. 359) and offers a "new" construction of Habermas's work that overcomes the problems constructed from this inflexible reading of Habermas's work. While the rest of his book is impressive in scope and vision Farrell manufactures a reading of Habermas that doesn't fully develop Habermas's theory and states assumptions that do not appear in Habermas's work as fact. A huge problem is that Farrell misreads Habermas as assuming that the theoretical concept of *strategic action* is synonymous with rhetoric, when in fact Habermas identifies rhetoric as *symbolic action* which is a completely different theoretical concept in Habermas's theory (Habermas, 1990b, pp. 187-210).

Farrell's project is a rhetorical conception of political theory that offers a synthesis of Aristotle's *Rhetoric*, *Politics*, and *Poetics* with Habermas's political thought (Charland, 1994, p. 339). Farrell examines Habermas's account of rhetoric and works through Habermas's conception of speech acts as the point where Habermas and traditional rhetoricians are at odds. This project views rhetoric as "the collaborative art of addressing and guiding decision and judgment—usually public judgment about matters that cannot be decided by force or expertise" (Farrell, 1993, p. 1) that Farrell identifies as "the tradition of practical speech" (p. 194). Farrell

argues that Habermas use of speech act theory becomes the site where Habermas theory needs to undergo some modifications to create a synthesis of “the normative component of practical wisdom and a rhetoric goaded by emancipatory reason” (p. 188). The problem that prevents Habermas from dealing with the successful separation of reason from the transcendental subject that would allow a rhetorical form of emancipatory reason becomes that Habermas’s own Kantian loyalties “seem to overwhelm [Habermas’s] praxis” (p. 192); as well as Habermas makes some modifications to speech act theory that separates illocutionary and perlocutionary acts along a rational strategic divide, respectfully (Farrell, 1993, pp. 193-197; see also Habermas, 1984, pp. 286-305). According to Farrell, Habermas doesn’t see these as two ways of observing the same act but rather two different types of speech acts where someone can either be acting strategically, as in perlocutionary, or rationally, as in illocutionary (Farrell, 1993, pp. 193-194).

Farrell makes his argument by tying rhetoric to strategic action in such a way that Farrell presents them as synonymous within Habermas’s model (Farrell, 1993, pp. 193-194). This connection is an innovation of Farrell’s which he backs up by the assumption that rhetoric is necessarily strategic action (broadly conceived while Habermas’s actual definition of strategic action is much more limited and doesn’t fit the construction Farrell is presenting). If Farrell was using Habermas’s actual construction of strategic action (Habermas, 1979, p 41) Farrell would be making the provocative claim that rhetoric is necessarily manipulation through the rhetor being intentionally untruthful to their audience. In the text Farrell appears to be aware of Habermas’s distinction and even points to the section in Habermas’s theory where Habermas defines strategic action simply as the suspension of the validity claim of sincerity rather than acting with intention (Farrell, 1993, pp. 193); however Farrell then ignores Habermas’s

definition in the remainder of his arguments. Farrell follows up this analysis of perlocutionary acts as strategic action by stating

We are now in a better position to appreciate the difficulties that Habermas has with the tradition of practical speech I have called rhetoric. It is not simply that, according to certain idealized speech situation criteria, rhetorical speech is flawed and distorted. It is that rhetorical speech is assumed to be mainly strategic speech, oriented to success...within universal pragmatics, rhetoric constitutes a crude subset of perlocutionary speech. For Habermas, this means that it is denied any of the reflective validity claims that he presupposes for the illocutionary realm known as communicative action. (Farrell, 1993, p 194)

The problem with this statement is that Farrell is the one who is tying rhetoric to Habermas's notion of strategic action, Habermas has made no such claims. Habermas defines strategic action simply as the suspension of the sincerity validity claim within the context and is separated from communicative action based on whether an actor coerced another actor. Actors can communicate with intent but must be sincere in that intent if questioned. To engage in latent strategic action requires that when someone questions an actor's motives that actor intentionally lies to manipulate the other actor (Farrell, 1993, p. 193 citing Habermas, 1979, p 41). Rhetoric and the tradition of rhetoric broadly defined does not necessarily require that the speaker be indifferent or untruthful in their actions. In fact Aristotle, in his second book of Rhetoric, was very critical of rhetoric that manipulating the public in this very way while endorsing a rhetoric that follows a process that privileges logos. In his critique of Habermas Farrell is arguing that the invitational power and normative impetus of Habermas's public sphere project must rely upon a rhetorical conception that privileges strategic rationality and insincerity. Some critics agree with that

definition of rhetoric. Charland pushes against a Habermasian interpretation of rhetoric arguing that such a conception undercuts the sophistic understanding of rhetoric by initially defining rhetoric as judgment rather than a quest for advantage (Charland, 1994, p. 340). Charland's conception of rhetoric is opposed to Habermas's normative standard; however it is only one interpretation of rhetoric and not constitutive of the whole of the discipline.

The hard distinction that Habermas's work implies between perlocutionary and illocutionary acts becomes blurred in the actual performance of speech acts. Habermas's solution to this problem is to argue that depending on the situation, that one act is dominant over the other, and that dominant act determines if a speech act is communicative or strategic action (Farrell, 1993, p. 195). Farrell then goes through several examples of instances where the perlocutionary intent is constitutive of the understanding of a situation citing a marriage proposal, ghost stories, and the inadvertent startling of a woman while someone is running to catch a cab (pp. 195-196). These examples are supposed to illustrate that perlocutionary intent is necessarily inseparable from illocutionary acts and that Habermas's solution to this dilemma, that is to disclose intent, would undermine the communicative act. This is, again, a provocative read on Habermas and may fundamentally miss the point of Habermas's distinctions. Farrell is correct that according to Habermas's normative standard within a communicative situation actors necessarily present their intentions, or sincerity. I assume that if my intentions are not questioned then both myself and the person I am speaking to understand my position. However Habermas is not arguing, as Farrell's examples explicitly state, that I must front end every communicative act with full verbal disclosure on my intentions in order to avoid the critical distinction of acting strategically (see: Habermas, 1984, p. 331). Habermas allows for metacommunicative acts such as "play" and "irony" to work within the communicative act without being seen as corruptions or

overly strategic. Farrell is going through these distinctions to show that there aren't any pure perlocutionary or illocutionary acts which he argues is necessary for Habermas's normative model, yet three paragraphs prior to his examples he states that Habermas addresses the fact that there are no pure perlocutionary or illocutionary acts (Farrell, 1993, pp. 195-196). Farrell's own account of Habermas's model contradicts the very passages he cited just prior to stating his argument.

Another less provocative read on Habermas states that when sincerity is questioned an actor should truthfully present what her intentions are in accordance to Habermas's argumentation theory. This presentation of intentions can occur either verbally when interrogated or metacommunicatively. My read on Habermas's theory is consistent with both his understanding of the lifeworld as constituted through various challenges, as well as Habermas's definition of strategic action as necessarily suspending, or failing to disclose when asked, the validity claim of sincerity. Farrell's read draws a hard line between perlocutionary acts and illocutionary acts, a distinction that dismisses Habermas's statement cited by Farrell that a hard line doesn't exist and is grounded on a fundamental misunderstanding of strategic action as a suspension of the validity claim of sincerity. By drawing this hard line Farrell further argues that having any prescribed intent within a situation is against communicative action unless those intentions are fully disclosed verbally on the onset. Habermas also covers modes of uncertainty and ambiguity within his theory which will be covered later in this chapter.

Farrell argues that Habermas's theory needs to be supplemented in order to overcome the difficulties Farrell has identified. Farrell outlines a reformulation of Habermas's rhetorical assumptions while maintaining the normative force of Habermas's arguments by arguing that Habermas needs to deal with the non-linguistic context within interactions. Farrell uses Burke

and Perelman to construct a synthesis and revision that will account for the role external context plays in social interactions (Farrell, 1993, pp. 202-213). According to Farrell, Habermas argues that validity claims are redeemed strictly discursively, and that the redemption occurs sterilized from actual culture (Farrell, 1993, p. 203). In fact, as shown above, Habermas identifies normativity as the only speech act that is redeemed strictly discursively (Habermas, 1990a, p. 59-61); truth must make reference to a cultural evolutionary experience with events in the shared objective world (Habermas, 1990a, pp. 60-61; 2001, p. 29; 2003, p. 27), while sincerity is redeemed through reference to past action and promises toward future action (Habermas, 1990a, p. 59). Farrell fails to address several points in Habermas's theory that points to a more nuanced view of context in interactions.

Habermas argues that communicative action must make reference to conditions in the shared world. The statement that all attempts at reaching understanding are grounded in shared objective world is based in Kant's theory of transcendental illusions. Kant argued that knowledge can be overextended and invalid when it stops making reference to the realm of experience. Habermas, contra to Farrell's claims, argues both that making reference to the shared world is necessary to coordinate action (Habermas, 1984, pp. 96), and that context also forms part of the speech act to coordinate action (Habermas, 1984, p. 335). External context becomes important to distinguish the relevance of certain arguments over others (Habermas, 1990a, pp. 87-88, 113n 69). Validity claims in the speech act have to be tied to something outside of a self-referential linguistic statement (Habermas, 1990b, pp. 187-210); and language itself is only used to reference events in the objective world, subjective world, or intrapersonal world, but always to at least the objective world (p. 96).

Habermas doesn't explicitly explore the rhetorical space opened up by his theory of argumentation but he does have a conception of rhetoric, theorized as linguistic forms (Habermas, 1984, p. 25) as well as a process or practice (1990b, pp. 187-210), that engage the complexities of everyday public discourse. Habermas's focus on procedural rationality doesn't explicitly address the possibility that actors could engage in a rational argument and still not come to consensus although this possibility is understood as possible. Rehg argues that this possibility creates a space for rhetoric to have a central location within Habermas's normative theory (2009, pp. 138-140). Habermas does address rhetoric and believes that rhetoric's function is to coordinate action by translating technical discourses to everyday practices using rhetoric's ability to create a self-reflective discourse that partially suspends illocutionary acts within the discourse (1990b, pp. 187-210; for further elaboration see Habermasian rhetoric section below). This connection is necessary because technical discourses are embedded in a specialized language that does not address the complexities of everyday discourse. Rhetoric translates these specialized languages by partially suspending illocutionary acts while maintaining discourses purpose of problem solving and the logics of everyday life. In doing this technical discourses are translated for what the speaker believes is the ideal community for that particular discourse so that claims can be addressed by that community. Ultimately, for Habermas's normative theory, every linguistic act has rhetorical elements, but linguistic interactions have to be regulated through the logics of everyday life and for the purpose of coordinating action.

Habermasian methodological framework

My study reworks Habermas's theory of communicative action and his theory of discursive politics into a critical rhetorical methodology. I start from the viewpoint that Habermas's three validity claims are constitutive of an individual's lifeworld (Habermas, 1987,

p. 120) and I turn those validity claims into a heuristic that is reflective of an actor's understanding of the world around them. These validity claims are brought into conversation when someone is presenting their view of the world to a specific audience and they are constructed with the assumption that the audience will not only understand but agree with the claims as they are presented.

My approach is rhetorical in two ways: first, I analyze the validity claims as constitutive of the various actor's lifeworld's; next, I analyze the validity claims from the perspective that they were constructed for a specific audience for a specific purpose. This study primarily focuses on the world disclosing aspect of language through the validity claims as well as on how discourse is shaped to appeal to a particular audience. My approach is critical because I look for violations of the norms of discourse and apply Habermas's normative standards for deliberative politics. In this study the publicly accessible discourse interrogates the procedures by which the Carter Administration came up with PD-59. I argue that this both supports a public deliberation as well as denies the ability to change the discourse.

In *The Theory of Communicative Action* (Habermas, 1984; 1987) Habermas doesn't offer us an operational version of his model because his intent is not to develop a heuristic for understanding human interactions. Habermas theorized about communicative rationality to set up a larger critique of the lifeworld and the system world. In this work Habermas lays out a normative theory of communication that includes categories of human interaction, justifications of those categories through philosophical critique, and a foundational argument of rationality that establishes his normative critique. None of this was for the purpose of creating a heuristic for breaking down communication but rather to engage in a societal critique of how money and power are used to silence the type of communication that establishes democratic participation

(1987). Even though Habermas doesn't offer us a methodology for dealing with rhetorical texts, a rhetorical methodology is easily extracted from his works. Habermas's subsequent writings provide commentary on how invocations of various categories of understanding function in the ways that individuals make sense of contingent situations and attempt to establish understanding. This is useful because a heuristic constructed from Habermas's work allows rhetorical critics to engage Habermas's normative critique of society in meaningful ways.

This application is rhetorical in nature but borrows from research done in other fields. Habermas's theory has been approached through a variety of methods, most notably argumentation (Rehg, 2009). Rehg argues that argumentation and rhetoric have common origins, but that they are different movements. While Habermas's method is interested in the conditions of arguments it isn't necessarily restricted to argumentation studies. Rehg takes an argumentation approach that he defines as "an interdisciplinary endeavor that produces a set of categories...for the description and evaluation of arguments" (Rehg, 2009a, p. 4). Rehg does this to produce a heuristic to "critically assess the information and claims issuing from the empirical sciences" (pp. 4-5). My study is interested in how different publics address rhetorical exigencies, how they communicatively construct representations of their lifeworld's, and how those rhetorical addresses are shaped based on audience. A Habermasian rhetorical methodology is grounded in Habermas's normative assumptions and uses Habermas's framework to see how people engage in rational sense making to show either the methods people use to legitimate society or to uncover reasons why a consensus ought to be revisited or considered invalid. .

I am interested in tracing the lines of discourse in the space of the PD-59 controversy, but I am not specifically interested in tying agents to lines of argument. While Rehg focused on Habermas's use of argumentation as a means to evaluate claims, I am focusing on Habermas's

definition of the lifeworld and looking at how individuals present their views of the lifeworld to different audiences. Habermas argued that with any communication an individual necessarily makes explicit and implicit reference to the three world relations of the objective world, social world, and subjective world (Habermas, 1997, p. 120). A Habermasian rhetorical approach looks at how individuals present these three worlds communicatively and how those actors justify their lifeworld. This approach differs from an argumentation approach in that while argumentation is part of the process a larger part is how each actor communicatively presents their worldview to different audiences.

My study looks at how actors attempt to make sense of issues related to nuclear weapons and move different audiences to action (see: Bitzer, 1968). PD-59 was a rhetorical response to changing conditions in both the (present and future) technological, social, and political landscape. The initial documents constructing the policy can be seen as attempts by various actors to move political individuals to legitimate the policies that became PD-59. Carter administration created the policy to address what they saw as limitations in the pre-existing deterrence policy. The subsequent discussion held in both the public and political spheres (see: Habermas, 1996) was a response to these limitations in deterrence and is interpreted by myself as a response to that policy to move the audience to legitimate or delegitimize that policy.

My study starts from the assumption that deterrence is a discourse that is salient within the popular and political culture of the Cold War and not specifically tied to individuals or special interests (which is different from many studies of nuclear democracy, see: Bjork, 1992; Glass, 1993; Hogan, 1994; Kirsch, 2005; O'Neill, 1994; Wittner, 1993; 1997; 2003). This discourse is conceptualized as separate from the relevant conversation of deterrence from any specific policy makers or publics and, as Dauber argues, identifies the discussion itself as

constitutive of deterrence (1993). The constitutive feature of deterrence as a discourse is the question of how to successfully protect a nation or a nations interests against a nuclear opponent. In this study, I am proposing that the concept of deterrence is fraught with uncertainty and decisions have to be made despite that uncertainty.

After I show how deterrence is a discourse I chose texts that were directly related to PD-59, each text is classified based on which audience the discourse is directed to. The first set of texts that I chose were documents that were constructed from conversations held by policy makers and military specialists that ultimately developed PD-59. These conversations were held in private and most of them classified. Many of these documents were written by different people but they all document a discussion aimed at a particular audience. That audience consisted of the policymakers who consulted President Carter on nuclear issues. The documents that were addressed to those policymakers all revolved around the question of modifying the United States nuclear policy. These documents extend past the signing of PD-59, but the future reflections are also directed at the policymakers. The second set of texts are the newspaper articles that start with the Carter administrations leak of PD-59 to *The New York Times* and *Washington Post*. Here I have limited the texts to *The New York Times* and *The Washington Post*. These texts are all directed to a particular audience and, in part, the goal of these texts are to get the public to either legitimize or delegitimize PD-59. I say “in part” because a major reason for the leak was to present President Carter as not being weak on issues related to nuclear war, which is an issue I do not explore in my study. These texts, all directed to the public sphere, housed a debate about PD-59 and the nature of limited nuclear strikes that involved policymakers who were not involved in the final construction of PD-59. The final text I am reading consist of the redacted transcript from the Senate hearings on PD-59. This text is difficult to place since it was originally

a transcript of a closed door senate meeting, but the transcript was redacted and relieced for the public on February 18, 1981. This document will be treated as an internal conversation and the audience is the Senate Committee on Foreign Relations. The main reason for this is because the document was not released until after the presidential elections and therefore did not contribute to the same political debate as the newspaper articles. This document is an appeal for the Senate Committee on Foreign Relations to either legitimize or delegitimize the policy set forth in PD-59. I am making the distinction that within all of these discourses they wanted to legitimize or delegitimize the policy itself since there wasn't any official call to invalidate PD-59.

These three sets of text will be analyzed according to Habermas's three validity claims utilizing his overall normative assumptions. Since every communicative utterance necessarily makes reference to all three, but each one may only explicitly make reference to one or more, I will only analyze each document based on the validity claims presented unless another validity claim becomes more salient within the conversation consisting of the larger body of texts. Within each document I compare the relevant discussions on truth, sincerity, and normative rightness to see how each document characterizes the material nature of nuclear weapons (truth), the state of international relations (sincerity), and the moral implications of certain policies (normative rightness). I will also look for any policy proposals within these documents and the validity claim that they are trying to correct with that policy proposal. Finally I look for the claims of legitimacy of each policy proposal. These discussions will also be evaluated for explicit claims that the norms of discourse have been violated.

One of the most important claims for my study is normative rightness, which Habermas argues establishes the character of public deliberation and creates the character of the public sphere. Normative rightness deals with *ought* statements and Habermas broke those down into

three separate claims dependent upon what justifies the ought nature of the claim. Those separate normative claims are pragmatic claims, ethical claims and moral claims. Pragmatic claims are claims that show what should be done to accomplish a certain goal. They are correct if the goal can be achieved through those means. Ethical claims make reference to the good of an individual. Moral claims are the most general and make reference to some greater “ought” that is supposed to apply to everyone regardless of circumstances.

The benefit of this rhetorical approach is that the procedural accuracy of a representative democracy can only be fully established through an analysis of the normative temperament of the public. In this study the normative temperament is established by engaging in an investigation and comparison of the normative claims made both inside and outside the public’s purview. Habermas argues that normative claims are exclusively discursive in nature and are validated when they accurately reflect the normative understanding of the audience. This study breaks down each document according to the various validity claims and establishes a coherent list of moral claims that were used to justify nuclear deterrence policy. I will be breaking down the normative statements in these documents based on these three claims and show how each statement is justified according to the various supporting claims.

Another secondary evaluative tool that I will be employing is Habermas’s normative standard for discourse. This tool will see if the participants in the discourse feel that the process by which PD-59 was formed and legitimated violates the norms of discourse. This will be done by looking at direct charges of violations within the discourse. Habermas argued that people entered into discourse with several procedural presuppositions that regulated argumentation. These presuppositions help form the foundation for his normative framework of rational communication. Habermas argues that

the four most important presuppositions are

- (a) publicity and inclusiveness: no one who could make a relevant contribution with regard to a controversial validity claim must be excluded;
- (b) equal rights to engage in communication: everyone must have the same opportunity to speak to the matter at hand;
- (c) exclusion of deception and illusion: participants have to mean what they say; and
- (d) absence of coercion: communication must be free of restrictions that prevent the better argument from being raised or from determining the outcome of the discussion.

(Habermas, 2002, pp. 106-107; see also: 1984, p. 25; 1990a, p. 89; 2008, p. 82)

This list is not exhaustive and produces a counterfactual standard for evaluation. My analysis is not strictly looking for those violations; however if violations explicitly show up it will be noted and analyzed.

Habermas argued that while these standards will never completely hold up they can govern our discourse as self-correcting standards (Habermas, 2003, p. 108). The easiest application is for a critic to look for violations within the discourse (p. 107). Another way the presumptions become regulative is that when participants are aware of a violation they may either apply remedies or they could suspect that the outcome of a discourse is invalid (p. 108). In my study I will be looking for violations of these standards, either explicit or implicit in the discourse, and see where participants invoke these standards of argumentation and how those participants deal with the perceived violations.

The next step will be to evaluate the validity claims based on audience. Specifically what claims of legitimacy are being invoked in the secret discourse vs the public discourse. How does

deterrence get invoked when the audience is the policy makers vs. when the audience is the public? More importantly what differences are present within the discourse?

Finally I will compare the claims made in the political sphere to the claims made in the public arena. Habermas argues that the political sphere has authority to create policies without direct involvement from the public. Those decisions made in the political sphere must accurately reflect the public attitudes. The similarities and differences between the two discussions will provide a template for understanding how the arguments were shaped both inside and outside the political sphere and also which parts were framed as part of the public concern. Major differences between the discussions, specifically claims to normativity, will show an attempt to circumvent the public's interest by excluding key elements that were necessary for the private discussion. This is the main benefit of a rhetorical interpretation of Habermas's theory. While a post-metaphysical approach relies upon a procedural legitimacy, in the final regard an analysis of the content is necessary to establish if public opinion is faithfully being reproduced in the political sphere.

Chapter 3, Nuclear weapons and the rhetoric of nuclear policy

PD-59 becomes a site that I interrogate to figure out how secret policy is legitimated by the public sphere using Habermas's normative theory of deliberative politics. Using this site I am able to unpack the complexities and the forces which went into the construction of PD-59 using Habermas's theory of communicative action and deliberative politics (see previous chapter). Outside of Habermas's literature there is a large body of writing which both inform and can be informed by my research. PD-59 was a policy which drew from the history of nuclear weapons and nuclear weapons policy as well as the history of presidential policy. Historically this study contributes to literatures on nuclear policy, presidential policy making, the history of secret policy, and the growing body of literature on PD-59 itself. Theoretically this study contributes to conversations about nuclear deterrence policy, deliberative democracy, and Habermasian theory. I have only come across one work, Glass 1993, which employed a strictly Habermasian analysis of nuclear weapons policies and deliberative democracy. These literatures help paint the historical and theoretical background which I employ in researching PD-59.

Literature

The literature regarding nuclear weapons can be classified through several different schemas. Dauber utilizes a schema for understanding the nuclear deterrence policy literature under the three categories of primary sources, explanatory literature, and critique (1988, pp. 6-12). Taylor and Kinsella (2007) offer a comprehensive overview of the field of nuclear communication research which divides the literature based on four traditions that are utilized by communication theorists in order to "theorize and critique the relationship between nuclear weapons and communication (pp. 3-11)." I categorize three main literatures in nuclear weapons research and draw from additional literature on democracy for this study. The nuclear literature

is classed into three main groups which are historical studies related to nuclear weapons, literature on the correlation between nuclear weapons and communication, and historical primary sources around nuclear weapons. I also draw from studies of democracy and public sphere research.

The first body of literature I draw upon are the historical studies which outline the historical conditions from which our current understanding of nuclear weapons and PD-59 emerged. This area includes Wittner's three volume collection on the history of nuclear protest (1993; 1997; 2003), Rhodes' two books on the history of the nuclear bomb and hydrogen bomb (1986; 1995), Freedman's study of the history of nuclear strategy (2003), and Mackenzie's study on missile guidance and navigation (1987, 1990; MacKenzie and Spinardi, 1988a; 1988b). I also draw upon historical work regarding Carter's presidency including Newmann's study of presidential national security policy (2003), and Glad's study on Carter's foreign policy (2009). The second category are studies into the relationship between communication and nuclear weapons which includes studies into nuclear deterrence. These works include Weart's investigation into the images of nuclear weapons (1988; 2012), a recent collection of nuclear communication essays (Taylor, Kinsella, Depoe, and Metzler, 2007), Dauber's critique of deterrence theory (1988), Tannenwald's work on the non-use of nuclear weapons (2007), and Mitchell's rhetorical study of missile defense programs (2000). This second category also includes specific investigations into sites of conflict including Glass's study of how public protest hindered the MX Missile program (1993; 1998), and O'Neil's study into public resistance of the nuclear plowshare program (1994, 1998) even though O'Neil's study isn't specifically communicative in its design. Both of these authors investigate attempts by the United States government to utilize public lands for nuclear weapons programs and how the affected publics

resisted those attempts. Both of these sites are unique in that it Glass is important for this study because he is one of the few scholars who used a strictly Habermasian approach to nuclear weapons discourse. The third body of literature are primary sources from the history of nuclear weapons and PD-59. These documents directly engaged the problems associated with nuclear weapons by policy makers and military contractors and build the landscape of nuclear weapons policy. I also contribute to the theoretical works on democracy and Habermasian theory. I've already covered the primary sources of Habermas's work in the previous chapter. I use these literatures in this chapter to understand the history of nuclear weapons, nuclear deterrence policy, and democracy from a critical perspective.

Nuclear weapons are “an ontological tangle of discursive and material phenomena” (Taylor, 2007 B, p. 672). Ever since the conception of a nuclear chain reaction, nuclear weapons operate as a discourse of possibilities and limitations regarding nuclear power. Once the material manifestation of the nuclear chain reaction and nuclear bomb was realized, this discourse became a dialectic of the material conditions and the social constructions of nuclear weapons. Nuclear deterrence is a discourse between nations with assumptions grounded in ideas of effective communication rather than effective military intervention. Rosow (1989) argued that nuclear deterrence is largely a rhetoric which consists of a series of interpretive claims “and imperative expressions which operate through institutional structures and forms of identity” (found in Taylor, 2007 B, p. 672). Freedman points out that the concept of nuclear deterrence is an evolving concept dependent upon existing technologies and current international conditions (2003). This study approaches deterrence as a discourse where the technological and international conditions of nuclear policy are discussed in order to make sense of highly technical policy decisions.

The history of the science of nuclear weapons plays an important role in establishing nuclear policy. Richard Rhodes details the history of the science and politics which went into advancing nuclear weapons in *The Making of the Atomic Bomb* (1986) and *Dark Sun: The Making of the Hydrogen Bomb* (1995). In *The Making of the Atomic Bomb* Rhodes argues that the secrecy and policies attached to nuclear research are due in part to the creation of nuclear weapons in the shadow of the Nazi rise to power and WWII. Science had previously researched military weapons but research into nuclear energy, from the beginning, emerged from a politically charged research environment which permanently politicized nuclear research. The book starts with the discovery of radiation and classification on the periodic table, moves through the discovery of the nuclear chain reaction and the immediate secrecy of those discovery, works through the Manhattan Project, and ends with the bombing of Japan. *Dark Sun: The Making of the Hydrogen Bomb* (Rhodes, 1995) starts with the Soviet nuclear research at the beginning of WWII. This text details how the development of the hydrogen bomb was influenced by the Cold War competition present between the United States and Soviet Union.

MacKenzie (1987, 1990) co-authoring with Spinardi (1988a, 1988b) studies missile guidance systems and the interactions that led to improvements on missile technology. At the heart of the work, MacKenzie is trying to complicate notions of inevitability within weapons systems. MacKenzie argues that the concept of accuracy within nuclear weapons production was neither inevitable nor necessary. That in fact guidance systems are “the product of a complex process of conflict and collaboration between a range of social actors including ambitious, energetic technologists, laboratories and corporations, and political and military leaders and the organizers they head” (1990, p. 3). Ultimately the decision on which technology is chosen is contingent on market pressure, political need, and the chance of success with any investigation.

In some cases the technology which had the greatest promise in advancing weapons systems accuracy were discarded for a less accurate model.

Literature on nuclear strategy, deterrence, and international relations comes from primary sources, literature on the history of nuclear weapons, as well as literature on communication and nuclear weapons. Freedman's *The Evolution of Nuclear Strategy* (2003) unpacks the fluid nature of nuclear discourse and shows how nuclear strategy evolved based on material, political, and moral concerns which punctuated the post WWII world environment. Nuclear deterrence policy arose out of the existing military strategies of World War II, and was dependent upon existing technologies for delivery. Initially, nuclear weapons were seen as a larger form of the conventional bomb.

Deterrence

I present nuclear deterrence policy as a discourse of national defense which argues that the threat of nuclear weapons can be employed in such a way to prevent war. The phrase *deterrence* is actually a blanket term for an evolving policy which is dependent upon the material capabilities and international relations at any given period of time. Deterrence is frequently delineated in the literature as a struggle between two competing theories of nuclear warfighting and Mutually Assured Destruction (M.A.D.) (Dunn, et al., 1946, p. 84; Dauber, 1993, p. 4; Freedman, 2003; Kahn, 1962, p. 42). This demarcation implies the illusion of two stable camps with opposite philosophies on Nuclear weapons. A more accurate historical demarcation would be one group that believed some form of power regulation was necessary to secure a nation's interests and prevent nuclear intimidation, and another group which saw nuclear weapons as a legitimate, useful, or inevitable tool of war in some capacity (see: Freedman, 2003). This distinction is important because M.A.D. was only one form of power regulation and throughout

nuclear history there have been many variations of power regulation which didn't necessarily involve a complete balance of destruction. The discussion of deterrence which occurred in the late 1970's was between a group which believed any nuclear strike would inevitably lead to a massive retaliation and the United States should prepare for that massive retaliation, and another group which believed some form of limited strikes should be an option for the President.

Deterrence is typically identified as the way to prevent nuclear strikes, but a need to protect a nation's interests and the interests of its allies is wrapped into that. The philosophy is based on the idea that the threat of nuclear weapons can be used to further a nation's interest with minimum collateral damage. By 1979 deterrence evolved into the form of Mutually Assured Destruction (M.A.D.) and had been codified in the SIOP program which was a tactical plan that would deliver a massive counterstrike within hours of a nuclear strike. In 1974 the NSDM 242 proposed that deterrence policy should contain Limited Nuclear Options (LNO) in addition to the massive strike (NSDM 242, 1974; SIOP 25, 1974), but by 1977 the idea of LNO had caused more problems than solutions and ignited considerable debate over the design of limited strikes (Brzezinski, 1977). The design of LNO and what they mean to the already existing M.A.D. policy became an opportunity to revisit the United States strategic doctrine concerning the nature of nuclear weapons.

Deterrence, as a strategic doctrine, attempts to communicate to another hostile nation that the cost of a conflict is so great that it is better to avoid conflict. For deterrence to be effective M.A.D. proposes that the message should be that any nuclear strike between two nuclear nations will inevitably result in catastrophic consequences upon both parties (Dauber, 1993). Dauber argues that nuclear warfighting, or limited nuclear options, is the philosophy that nations can engage in a gentleman's agreement whereby both nations only use nuclear weapons against

military targets while avoiding populated areas effectively holding each other's civilian targets hostage (Dauber, 1993). This form of limited nuclear options comes from McNamara's city avoidance proposal and, while it is influential, it isn't a constitutive element of all nuclear warfighting philosophies (Freedman, 2003, pp. 222-231). Both power manipulation as well as nuclear warfighting are possible rhetorical responses to the exigency of nuclear weapons in a Cold War environment. PD-59 signifies a move away from a strict M.A.D. doctrine and changes the United States nuclear philosophy into a flexible nuclear warfighting strategy. While the actual discussion which created and evaluated PD-59 was largely classified and unavailable to the public, the public also engaged in these discussions concerning nuclear philosophies and that discussion had an influence upon the final document.

The way that deterrence is invoked in the discourse surrounding PD-59 is significant for this study. Deterrence isn't a single philosophy or military strategy but becomes a discourse which brings together a public awareness of the existing military capabilities of nuclear nations, international relations, and moral philosophy. This discourse occurs in every level of the public and political sphere and creates a continuing conversation between the public sphere and political sphere.

Nuclear weapons and communication

I also address the larger field of nuclear weapons research within the communication discipline with this study. I am operating within what Taylor (1998, 2007) identified as a subfield within the communication discipline. That subfield is nuclear critics who are interested in nuclear interests within the public sphere (Taylor, 1998, p.5) specifically from the modernist tradition (Taylor & Kinsella, 2007, p. 5). I am significantly deviating from many assumptions named by Taylor & Kinsella within the modernist tradition notably that

deliberation of consequential nuclear matters should be accessible to public participation; that citizens should be sufficiently motivated and informed to engage those matters; ... that participants should debate issues openly, democratically, and rationally, deferring their pre-existing differences of status and expertise. (Taylor & Kinsella, 2007, p. 5)

I argue that deliberative democracy isn't dependent upon the direct democracy model but policy decisions are still legitimated by the public.

There is a tension in nuclear literature regarding the status of nuclear weapons and democracy which "all assert a fundamental incompatibility between nuclear weapons and the ideals of the democratic state" to varying degrees (Taylor, 2007b, p. 671). Within these literatures issues regarding a history of deception by government agents, national secrecy, and highly technical information regarding nuclear weapons make the idea of an empowered informed public impossible. The secrecy began in the 1930's when a group of scientists decided that research on the nuclear chain reaction should be kept out of the public sphere out of fear that the Nazis would develop a weapon from that research. Since that time nuclear weapons and nuclear weapon policies have been largely developed in secret by state agents. This secrecy is necessary from a national security standpoint both for the framework of treaties as well as effective military strategy. The idea of non-proliferation and various international treaties is grounded in the idea that only a few nations have access to nuclear weapons technology. Military operations and strategy are also necessarily held in secret. These layers of secrecy are embedded in nuclear weapons policies, and each resist democratic investigation. This fundamental tension between the normative values of deliberative democracy and the technical/security discourses which are fundamental to the nuclear weapons system complicates notions of a democratically legitimated nuclear power. Yet in spite of this separation between discussions regarding nuclear

policy and the public sphere, public discussion has a very real influence upon nuclear policies within a legitimate government (Tannenwald, 2007, pp. 156-162; Wittner, 1993; 1997).

This tension between a semi-closed policy discourse and a legitimizing public sphere produces an opportunity to interrogate both the democratic process surrounding nuclear weapons as well as use the practice of nuclear policy to inform theories of deliberative democracy. Do theories of democracy have to rest on active informed participation within decision making processes, or can a normative theory of democracy contain an element of passive participation? I wish to explore the idea that within the context of an actually existing democratic process, the public may have the ability to affect even closed discourses within nuclear policymaking and effectively speak to issues of an extreme technical nature. Nuclear weapons and nuclear policy has been highly problematic within the context of democratic processes yet, within the assumptions of radical democracy, even secret policy needs to be legitimated somehow by the public sphere. Exploring nuclear secrecy through the lens of rhetorical democracy will expose those avenues where change can be affected in nuclear weapons policy. While PD-59 was only recently declassified, it has been generating literature since it was originally leaked in 1980.

Critical scholars of the public sphere try to strengthen hegemonically weaker positions and legitimize institutionally marginalized groups. I am not opposing this type of research, but, in opposition to some public sphere scholars (Cintrón, 1997; Ono & Sloop, 1995; 2002) do not believe that critical public sphere research should be employed exclusively to that type of activism. I explore how government secrecy can operate as a legitimate political operation within a Habermasian framework while taking the standpoint that government secrecy, specifically within the context of nuclear policy, is always in a state of legitimation crisis. It is more useful for critical scholars to identify the legitimizing mechanisms within classified operations so that a

more pointed critique can be leveled against those secret operations which in fact work against the public interests.

Glass takes a Habermasian approach and observes how political actors use systems world media to undermine the democratic process in the controversy over the MX missile system with a specific focus on the tactics opponents used to change public opinion. This controversy was distinctly divided because the opponents to the missile system engaged in a zero sum position rather than accepting the possibility of any compromise (Glass, 1993, pp. 41-43) causing the debate to form easily identifiable discursive boundaries. Glass sees the MX debate as a continuation of a national trend toward security. National security is an imperative which has the same force as “raison d’etat” or “reason of the state” where a tight knit group of federal agencies work to justify actions that prevent a perceived future crisis but undermine public legitimation (pp. 93-94). The MX study observes how federal agencies attempted to constrain the discursive process of the lifeworld for the sake of the national security imperative (pp. 101-104). Glass observes a unique moment when the government actually lost control of nuclear weapons decisions and was those decisions were forced into the public sphere.

My study observes a similar event where the Carter Administration lost control of the narrative; I then apply a Habermasian structure to that moment. This Habermasian structure is approached from the standpoint of rhetorical democracy. Rhetorical democracy is an area of rhetorical scholarship which observes how discursive practices are deployed to achieve the goals of democracy (Taylor, 2007 B, p. 669). While Habermas is specifically concerned with the procedural nature of a political society I use that structure and ask how those practices and ideals are discursively enacted. Habermas’s ideals of communicative rationality, inclusivity, and deliberation become standards from which to read the discursive artifacts of the democratic

process. I am specifically concerned with the texts of PD-59 and those documents that preceded and emerged from the debate regarding nuclear deterrence policy. I chose these documents based on the discussions going on within nuclear communication literature.

Theories of deliberative democracy rest on conceptions of rationality and the role of the public within a democratic process. These conceptions create normative theories which frequently simplify the actual democratic process into a direct democracy model. The models of deliberative democracy are based on an idealized town hall style of democratic participation and reason. According to Habermas, this style of governance creates an undue burden upon the public sphere in the creation of legislation (Habermas, 1996). Habermas argues that the role of the public within democratic process isn't limited to the actual deliberative process but includes how the role of the public as audience affects the discourse. Within policy discourse publics are frequently invoked within the rhetoric as representations, and those representation for better or for worse affects the discourse (Asen, 2002). While this process of representation falls short of the normative requirements of a legitimating force and can be utilized in such a way as to disenfranchise marginalized groups it does show a passive mechanism of legitimation available to publics within the democratic process.

Chapter 4, The construction of PD-59

The fourth chapter analyzes deterrence as a discourse, and will work through the main images presented surrounding the discussion regarding PD-59. I present documents that deal with the pre-history and history of PD-59 and analyze the discourse that emerged from those documents as well as the actual text of PD-59. The analysis breaks down the explicit references to the validity claims that were mentioned in the theory section. Discursive invocations of different elements of deterrence philosophy are teased out to bring forth the understanding of deterrence as it is presented in the debate around PD-59. Those elements become the concept of deterrence failing, the debate between M.A.D. and nuclear warfighting, images of nuclear weapons, and the image of the Soviet Union.

Rhetorical perspective of deterrence

Nuclear deterrence policy can be examined as a political philosophy or military strategy, but I will take the rhetorical perspective and look at deterrence as an existing discourse. From the perspective of either a political philosophy or military strategy deterrence is an instrumental coordination of several factors within a paradigm of game theory or war game studies to achieve a set end. A rhetorical perspective sees nuclear deterrence policy as a discourse which brings together an awareness of existing military capabilities of nuclear nations, international relations, and moral philosophy. This rhetorical approach looks at both the ways that individuals make sense of nuclear weapons and the issues that surround nuclear weapons, but also how those actors frame the discourse to address different audiences. Deterrence also displays and understanding of effective communication between nations and is embedded with assumptions that define what effective communication means.

The discourse surrounding limited nuclear war occurs on multiple levels and demonstrates a reasoning process based in the collective lived experiences of those discussing deterrence. Habermas states that argumentation, which is the process whereby people deal with uncertainty, is embedded in a collective evolutionary learning process. Nuclear weapons becomes such a technical discourse that both politically and in the scientific competence necessary to understand nuclear weapons and policy, and it is easy for critics to argue that only privileged individuals can have accurate information. This argument becomes more complex with nuclear weapons because the expert discourses of technical accuracy as well as knowledge of international nuclear relations is rarely held by the same person or groups of people even though both discourses feed into each other. Because of that the people making decisions around nuclear weapons are rarely experts in more than one of the multiple issues surrounding nuclear weapons. I argue that, within this discourse surrounding PD-59, technical accuracy is a secondary concern to the reasoning that individual's at all political and social levels engaged in regarding nuclear deterrence policy. From a Habermasian rhetorical perspective discourses of deterrence become representative of a collective reasoning process which come together to reflect the society's lifeworld. A rhetorical approach takes these discourses and recognizes that they represent that individual or individuals understanding of nuclear issues. These discourses becomes the post-metaphysical foundation for a societies understanding of the nature of nuclear weapons (truth), our own nations military policies (sincerity), and the moral philosophy or international relations regarding nuclear weapons (normativity). These validity claims are debated within the discourse of deterrence and contribute to an everyday understanding of nuclear policy.

PD-59 contributed to this discourse of nuclear deterrence policy, and was a reaction to the changing face of international relations and nuclear capability. From a rhetorical standpoint strategic doctrine becomes an extension of the initial invocation of a discourse of deterrence, and the manufacture of these documents highlight the various understandings embedded within the discourse of nuclear deterrence policy. At the heart of this discourse is the image of nuclear weapons. Paradoxical images of nuclear weapons are cast within this discourse: that of an agent of war/peace, savior/destroyer/creator, sign of progress/sign of decay, controllable force/uncontrollable power, science gone right/science gone mad, beginning of the age/end of the era. Without the technical knowledge of nuclear science the image of nuclear weapons becomes the public understanding of nuclear weapons. While science contributes to the construction of these images it is the public reports and popular discourse which contributes to the understanding of nuclear capability within the public sphere.

The study lays out three main veins of discourse: the discourse that constructed PD-59, the policy discussion that occurred afterward among lawmakers, and the public discussion that happened after the leak. Each of these discussions was constructed using different audiences with different limitations. The construction of PD-59 starts with PD-18 and is confined to a group of legislators who were close to the president. Once PD-59 was constructed the discourse splits into two directions. PD-59 was initially leaked to the New York Post and Washington times. These two publications become the basis for the public discourse surrounding PD-59. The political discourse is also informed by the leaks; however that discussion occurred within a secret environment. These documents all focused on LNO.

Discourse of deterrence prior to PD-59.

PD-59 is a policy response to the rhetorical exigency created by the changing face of nuclear weapons during the Cold War. The changes in nuclear conditions, both technical and political, necessitated a re-examination on the United States nuclear philosophy. The controversy itself engages several tensions within the philosophy of nuclear deterrence policy. First and foremost is the controversy within deterrence between the philosophy of M.A.D. and nuclear warfighting. The tension between these two deterrence philosophies, both of which are simply generalizations of multiple complex political philosophies, shaped the discussion of nuclear deterrence policy in the Cold War in the public sphere.

PD-59 has a complex history whose story emerged from a changing nuclear landscape. The backdrop of this story and its context include world events which fundamentally changed the way that nuclear weapons operated in international relations. India detonated a self-described “peaceful nuclear device” in 1974, being the first non-signatory to the nuclear proliferation treaty to publically test nuclear weapons. This event changed the international nuclear dynamic from a two super-nation model to an unknown number of nuclear aggressors. The India test occurred at a time when Soviet/China relations were becoming less stable. Technological advancements in missile delivery allowed nuclear weapons to be delivered from United States soil and allowed for more accuracy. At the end of this decade the MX missile system sparked controversy in the Midwest. The nuclear disarmament movement gained a great victory with the cancelation of research into the neutron bomb. Politically the Strategic Arms Limitation Talks Agreement (hereafter SALT) took place from 1969-1979 (covering negotiations for both SALT I and II) which sought to limit the nuclear arms race in various ways which had come to constitute The Cold War. In December of 1979, seven months before the signing of PD-59, the Soviet Union

invaded Afghanistan. That action caused the senate to refuse to ratify the SALT II treaty. Behind all of these events there was a discourse among United States military strategists that questioned how to effectively use nuclear weapons if deterrence failed.

The events of the 1970's nuclear landscape were not the only reason that the Carter administration decided to address a change in nuclear policy. Limited nuclear war was an option that had been explored by policymakers prior to the 1970's, notably with Robert S. McNamara's no cities option (Freedman, 2003, pp. 215-231, 363). Freedman argues that the debate in the 1970's is different for three reasons: delivery systems were more accurate, both the Soviet Union and United States had massed a secure second strike capability, and "the Russians were on the way to achieving a comparable, controlled counter-force capability" (Freedman, 2003, p. 363). James Schlesinger became the US Secretary of Defense in 1973 and began to argue for a range of possible nuclear options to avoid escalation and reduce collateral damage (Freedman, 2003, p. 361). Within this environment nuclear policy was actively being evaluated to respond to the most recent political, material, and moral environment.

PD-59 was initially framed as a policy response to the changing technologies of war. William Odom, the military assistant to Zbigniew Brzezinski under President Carter and later President Reagan's Director of the National Security Administration, argued in one of the first documents suggesting a presidential directive which would change nuclear targeting that advances in weapons technologies has created the necessity for a change in nuclear operations which "has been swept under the rug in most U.S. debate on the significance of nuclear weapons" (Odom, 1980A, p. 1). The goal of this new policy was to give nuclear targeting a degree of flexibility in regards to nuclear targeting which wasn't available with past policies (SOIP, NSDM-224, JCS).

Throughout the 1970's the White House was making moves to give the President more flexible options in the case of nuclear war. One of the first moves toward the policy in PD-59 occurred on January 17, 1974 during the Nixon administration with the approval of National Security Decision Memorandum-242 (hereafter NSDM-242). This document was designed to add more deployment options to SIOP in order to limit escalation of hostility and was signed into law by the Secretary of Defense Schlesinger under the Nuclear Weapons Employment Policy (NUWEP) in April of 1974. NSDM-242 and NUWEP expanded nuclear targeting options, specifically adjusting targeting to economic and military structures in order to prevent post-war domination of enemy forces. The Carter administration inherited this charge and developed PD-18 in 1977 which called for a re-evaluation of existing nuclear policy. PD-18 developed into a series of presidential directives, 41, 53, 57, and 58 which all addressed U.S. nuclear strategy and developed more flexibility into the existing United States nuclear policy (Odom, 2004, p. 175).

President Carters countervailing strategy

President Carter's military strategy evolved throughout his term in office. It is noteworthy that Carter campaigned to reduce the military budget and maintained a "minimum deterrence" attitude (Auten, 2008, p. 1). President Carter held true to these campaign promises and cut the military budget upon arriving in office. However by 1979 President Carter began promoting military programs, and getting the military a higher budget for that year (p. 2). There are multiple perspectives on why this change occurred. This study observes the documents which contributed to President Carter's countervailing strategy. The studies ordered by President Carter contributed to his ideological shift in military strategy.

Countervailing strategy is a term used to describe United States military policy with the Soviet Union. The basic principle was that deterrence needed to engage a variety of

contingencies which could escalate into full conflict. The goal of producing these contingencies is to communicate to the Soviet Union that any aggression would be met with such a force as to either defeat the advances or to make aggression cost more than gains received (Slocombe, 1981, p. 21). This strategy understands the necessity for preparedness as well as coordination between the different United States forces. PD-59 “enshrined the nuclear targeting aspects of [the United States countervailing strategy]” (Auten, 2008, p. 302). According to Slocombe, the Nuclear targeting aspects of this plan requires that “permit [the United States] to use strategic nuclear forces in less than all-out strikes that exact a high cost from the things the Soviets value most—political and military leadership and control, military forces both nuclear and conventional, and the industrial economic capacity to sustain military operations” (Slocombe, 1981, pp. 22-23). My study begins by reading three of the documents which developed President Carter’s nuclear doctrine: Presidential Directive 18 (PD-18), the Nuclear Targeting Policy Review (NTPR), and Presidential Directive 59 (PD-59). PD-59 names the other two documents as instrumental in the formation of the policy laid out in PD-59. The history of these documents start with Nixon’s NSDM-242 which first explored the use of limited nuclear strikes in addition to the SIOP program.

Documents in the construction of PD-59

PD-59 was a continuation of the discussion of limited nuclear options which, for the purposes of my study, began with President Richard Nixon’s NSDM-242. NSDM-242 was an attempt by the Nixon administration to expand United States nuclear weapons policy. That policy was continued in the NUWEP. The NUWEP set forth the policy for United States nuclear operations but did not set up any conventional warfare policy. While both of these documents attempted to provide guidance for Limited Nuclear Options (hereafter LNO), it was unclear as to

how LNO were supposed to actually work (Odom, 2004, p. 177). The Carter administration inherited these policies and, in response to the changes in Soviet nuclear capability, issued a series of assessments to see how the United States compared to the Soviet Union. The result of these assessments was PD-18 which was designed to respond to the policy set forth in NSDM-242 and NUWEP.

NSDM-242 was signed on January 17, 1974 by President Nixon. This document sought to modify existing policies to provide a flexible nuclear posture. Ultimately it provides “the policy framework for planning the employment of U.S. nuclear weapons” as well as “establishes the process by which the principal aspects of this policy will be coordinated, reviewed and revised” (NSDM-242, 1974, p. 1). NSDM-242 lays out plans to offer limited nuclear options which should be used in conjunction with conventional forces in order to “seek early war termination, on terms acceptable to the United States and its allies, at the lowest level of conflict feasible” (p. 2).

Jimmy Carter became president on January 20, 1977 and inherited a nuclear policy which included the idea that United States policy should be prepared to launch SIOP as well as have flexible options which would engage military targets on a less than SIOP level to prevent an all-out nuclear war. On January 21, 1977 Carter’s National Security Advisor, Zbigniew Brzezinski, under direction from President Carter issued Presidential Review Memorandum/National Security Council 15 (hereafter PRM/NSC 15). This memo was rated confidential and was directly addressed to the Vice President, Secretary of State, The Secretary of Defense, and an additional six other people copied. The specific audience were nuclear policy makers. On January 26 1977 there was an additional memo written by National Security Council Staff Secretary Jeanne W. Davis addressed it to the Chairman of the Joint chiefs of Staff General

George S. Brown (addressed to position, Brown is unnamed in document) who was accidentally omitted from the original posting. That memo forwarded the original message to General Brown. PRM/NSC 15 ordered a thorough review of the United States policy regarding nuclear proliferation. This memo asked to track the nuclear fuel cycle and resources from production to waste, the state of international relations in regard to nuclear weapons and power, and to look at the implementation of President Ford's Oct 28, 1976 statement on nuclear policy (Ford, 1976). Ford's statement dealt with developing peaceful nuclear energy throughout the world while preventing proliferation of nuclear weapons with a specific focus on ensuring that nuclear fuel from power plants aren't used to produce weapons.

On February 18, 1977 Carter ordered Presidential Review Memorandum/NSC-10 which called for a comprehensive net assessment and military force posture review. Those net assessments became the foundation for the policy found in PD-18 (Odom, 2004, p. 178). The final copy of the memo was classified as secret and addressed to the Vice President, the Secretary of State, and The Secretary of Defense, and an additional five other individuals copied. The purpose was to "direct that a comprehensive examination be made of overall U.S. national strategy and capabilities" (PRM/NSC-10, 1977, p. 1). Initially this study was to be undertaken by the NSC5412/2 special group, which had recently been renamed the NSC Special Coordination Committee (SCC) under Carters Executive Order 11985. Both the State and Defense departments argued against having the study done exclusively by the SCC (Newman, 2003, p. 92). The solution to this dilemma was to have the study done in two parts: a "Comprehensive net assessment" and "Military Force Posture Review" (p. 92). Within PRM/NSC-10, Brzezinski was directed to "develop additionally more detailed terms of reference for this analysis" (PRM/NSC-10, 1977, p. 2). The comprehensive net assessment was undertaken by the SCC and "examined

overall strategic aspects of U.S. national security. That assessment of strategic aspects included a general threat assessment and an analysis of global military, technological, economic and political trends” with the goal of offering alternative military strategies and figure out what was needed to support each of those strategies. (Newman, 2003, p. 92). The military force posture review called for an overall assessment of both the United States and its adversaries’ objectives and resources and was undertaken by the Policy Review Committee (PRC) lead by the Department of Defense. This study focused specifically on “military strategy and force structure, including nuclear weapons” (p. 92).

On March 31, 1977 the National Security Advisor Brzezinski sent President Carter a top secret memo which argues that the current doctrine that is in place doesn’t adequately address issues of “limited nuclear options” (LNO). This memo was authored partially by William E. Odom, Brzezinski’s military assistant, and motivated by what Odom regarded as a flaw in the application of LNO (Odom, 2004, p. 183). After Odom reviewed NSDM-242 he wanted the Secretary of Defense and Chairman of the Joint Chiefs of Staff to explain, in plain terms, how exactly LNO’s operated (p. 183). This memo was issued prior to the final PRM/NSC-10 reports. Brzezinski argues that while within the current nuclear policy there is a language of limited nuclear options and flexibility, the current nuclear options “remain massive in both direct and collateral damage” (Brzezinski, 1977, p. 1). While, in principle, NSDM-242 was supposed to provide options to the president which would be “short of all-out nuclear war in crisis,” the policy application actually produced several problems (p. 1).

Brzezinski identified a complete lack of development in LNO’s practical procedures as a serious problem which needed to be addressed. Brzezinski suggested that President Carter “ask the Secretary of Defense and the Chairman, JCS” to outline the current nuclear war doctrine

(Brzezinski, 1977, p. 2). This included the procedures for limited and total nuclear war beyond the initial attack and to outline the systems in place for what LNO are supposed to achieve as well as the implications for their execution (p. 2). President Carter chose to approve Brzezinski's memo when President Carter was given the choices between approve, disapprove, and comment (p. 2). The Secretary of Defense and Chairman JCS ignored the invitation and instead "a long, confusing memorandum was sent explain that LNOs were meant to increase U.S. credibility" since SIOP was less threatening to a force the size of the Soviet Union in the middle of a crisis (Odom, 2004, p. 183).

On "6 Jun 1977" [sic, handwritten date on document unclear] Secretary of Defense Harold Brown attached a memo to the final PRM/NSC-10 report which set up the agenda for the Policy Review Committee (PRC) meeting (The Secretary of Defense, 1977). The memorandum was addressed to the Secretary of State, The Director of the office of management and budget, the Assistant to the President for National Security Affairs, the Director of Arms Control and Disarmament Agency, the Chairman of the Joint Chiefs of Staff, and the Director of Central Intelligence. Brown's report described PRM-10 as useful in focusing people's attention on developing an evolving military strategy but ineffective in providing an integrated military strategy. The memo states that none of the actual AIMS were completed satisfactorily and should be viewed as a first step in "refining our strategy choices and of eliciting initial Presidential policy guidance on key military strategy issues." Brown argues that the United States needs to continue with a long term assessment of Soviet relations so that the United States isn't forced into a position where they are reacting to Soviet initiatives in contexts set by the Soviets. PRM's usually result in PD's in short order but it took several months to translate the recommendations of PRM-10 into PD-18 possibly due to the scope of the study (Auten, 2008, p. 162).

PD-18. The actual construction of PD-59 starts on Aug. 24, 1977 with President Carter signing PD-18, which is a statement on U.S. national strategy. This Presidential directive served as the “national security strategy document” for the rest of Carter’s administration with an amendment added January 1981 with the signing of PD-62 (Auten, 2008, p. 164). PD-18 directed the Secretary of defense to undertake “a review of US targeting policy, as well as other studies; recommendations on the appropriate level of US capability to sustain a worldwide conventional war against the Soviet Union and its allies” (PD-18, 1977, p. 5). It was classified as Top Secret and addressed to The Director of Defense Research and Engineering, Ambassador Robert W. Komer special consultant to the Secretary of Defense on NATO Affairs, Assistant to the Secretary of Defense (Atomic Energy) and distributed on Aug. 30, 1977. PD-18 launched a series of presidential directives which transformed the United States nuclear weapons strategy. Those were PDs—41, 53, 57, 58, and National Security Decision Directive (NSDD)-13 (Odom, 2004, 175). NSDD-13 was a reformulation of PD-59 by the Reagan administration. The version of PD-18 I am reading was declassified on September 19, 2007 and reviewed as declassified in full on June 11, 2008. The previous version available to the public only had three and a half out of five pages declassified (Auten, 2008, p. 163).

PD-18 emerged from this series of diagnostic assessments regarding United States and Soviet relations (Odom, 2004, p. 178). These assessments, including PRM-10, demonstrated a need for further exploration of how the United States military strategy should respond to the current United States-Soviet relations. PD-18 called for a greater assessment of United States strategic doctrine, and set up five principles which helped guide United States national strategy in light of an evolving relationship with the Soviet Union.

PD-18 is a normative document that outlines the various relationships between the United States and Soviet Union. This document argues that “it is clear that in the foreseeable future, US-Soviet relations will continue to be characterized by both competition and cooperation, with the attendant risk of conflict as well as the opportunity for stabilizing US-Soviet relations” (PD-18, 1977, p. 1). The tension between competition and cooperation is the constitutive element which constructs the United States strategic doctrine. Successful interactions leverage the United States advantages in “economic strength, technological superiority and popular political support” to minimize Soviet military and political advantages while engaging the Soviet Union to reduce conflict and improve economic and social trade (p. 1-2). The actors in this relationship include the allies of both nations (p. 2).

Within this document, deterrence manifests in this normative argument as an equalization of military power between the United States and Soviet forces as well as the ability to respond to military attacks in such a way to make military action undesirable for the Soviet Union (pp. 2-3). This form of deterrence is maintained by the principle of “essential equivalence” that, in this document, are conditions where the United States and its allies maintain either an equal or superior military force to that of the Soviet’s and their allies (p. 2). The exact political posture that the United States is offering is to “promote nuclear stability particularly in a crisis and to the extent possible reduce any soviet incentive to use nuclear weapons” (p. 2). Deterrence is also supposed to “enhance deterrence of non-nuclear aggression against NATO and our Asian allies” (p.2).

Under these conditions it is advantageous for the United States to focus their national strategy in areas of cooperation and competition. In the area of cooperation with the Soviet Union the United States strategy should seek to involve the Soviet Union, in resolving regional

conflicts, negotiate arms control and verification policies, and to engage the Soviet Union in trade and social developments. In the area of competition the United States should counterbalance their military forces with the soviet forces, and compete politically “by pursuing the basic American commitment to human rights and national independence” (PD/NSC-18, 1977, pp. 1-2).

The goals of PD-18 culminate in five objectives for guiding “US military strategy, programs, and policies” (PD/NSC-18, 1977, p. 2). Those guiding objectives are: Strategic force objectives, strategic programs, Global Contingencies, Asia, and additional studies. PD-18 defines strategic force objectives, which becomes a statement of nuclear deterrence policy, as

The purpose of US strategic forces is to deter a nuclear attack on the United States, upon our forces, our allies and others whose security is important to the United States and, if deterrence fails, to inflict appropriate retaliatory response on the Soviet Union. In conjunction with general purpose and theater nuclear forces, it is the further purpose of our strategic forces to enhance deterrence of non-nuclear aggression against NATO and our Asian allies. (p. 2)

This document also puts forth a view of the necessary material requirements for a successful deterrence structure. The first claim is that the material purpose of deterrence is to either exist in a power equilibrium to one another so that Soviet nuclear forces cannot be used “for political leverage and coercion” (PD-18, 1977, p. 2) or be used in such a way as to “inflict appropriate retaliatory response on the Soviet Union” (p. 2). This principle of deterrence is supported by strategic programs which is constituted by this principle of *essential equivalence*. Essential equivalence is usually seen as the principle that neither the United States nor Soviet Union will enjoy strategic superiority, however in this case it simply means that “the United States will not

accept a strategic posture inferior to that of the Soviet Union” (p. 2). In addition to maintaining an equivalence in strategic forces to prevent nuclear war this essential equivalence will prevent the Soviet Union from deterring the use of conventional forces and will allow the United States to inflict “unacceptable level of damage upon the Soviet Union following a Soviet first strike” (p. 2).

The weapons themselves are seen as operating on three stages: the general purpose nuclear forces, the theater nuclear forces, and to enhance deterrence of non-nuclear “aggression against NATO and our Asian allies” (PD-18, 1977, p. 2). An interesting point is that while equilibrium is supposed to deter non-nuclear aggression, it is also supposed to ensure that the United States will not be prevented “from taking conventional military action where its interests dictate” (p. 2) so there exists an unbalanced vision of what equilibrium looks like within this document. The phrase “equilibrium” simply means to maintain an equal to superior status with the Soviets while maintaining that they do not share the same equality. Within this document nuclear weapons have the power to be controlled by the United States as opposed to a force which once unleashed will initiate a chain reaction of retaliation. This document reads with a nuclear warfighting model of deterrence offering that the United States should have flexible options when it comes to nuclear options. As I will show, the claim that nuclear weapons can be controlled drives the policy debate in deterrence.

At the end of the “strategic programs” section PD-18 inserts “the United States will maintain adequate command and control capability and forces to execute limited strategic employment options” (1977, p. 2). The “global contingences” section argues that there should be a mobile strategic force which can be deployed with traditional forces against Soviet military aggression. The “Asia” section states that the United States will maintain a presence in Asia to

prevent a destabilization in the region. Finally the “additional studies” section asks the Secretary of Defense to review United States targeting policy and make appropriate recommendations based on those studies.

PD-18 is largely a normative claim which offers a series of statements on how deterrence policy ought to be used to further United States and United States allies’ interests. In this case the end goal is to further United States interests through nuclear weapons. Several ethical points are brought up which argue that there exists a set of maxims which can be applied to any situation. This document argues that effective deterrence is an “essential equivalence” which is defined as offsetting any advantages to strategic force characteristics of the Soviet Union while at the same time maintaining the capability to inflict “an unacceptable level of damage on the Soviet Union following a Soviet first strike” (p. 2). The goal of nuclear deterrence policy is nuclear stability that will help stabilize a crisis and prevent the soviets from using nuclear weapons. In this document a first strike is not seen as appropriate provided that the Soviet Union seeks a similar position. There is one mention of a limited strategic options which simply states that “the United States will maintain adequate command and control capability and forces to execute limited strategic employment options” (p. 2). In the end of the document it states that the Secretary of Defense ought to put forth recommendations for a conventional war with the Soviet Union.

PD-18 also makes several claims to sincerity in its characterizations of the Soviet Union. This document starts with the statement that US-Soviet relations has been characterized by both competition and cooperation and then lays out a non-military policy plan based on the character of the Soviet Union. The main non-military advantage of this competition for the United States is the national character of the Soviet Union is less adaptable than that of the United States in the areas of economic strength, technological superiority, and popular political support (including

human rights). PD-18 then outlines how to take advantage of these weaknesses within the national character of the Soviet Union. This characterization is used to justify the call for a balance of military power which is supposed to facilitate non-military national strategy.

On September 1, 1977 Walter Slocombe, the acting Assistant Secretary of Defense wrote a follow-up memo to PD-18 that was addressed to the same people as PD-18 with the additional inclusion of the Assistant Secretary of Defense (Program Analysis & Evaluation) and the Director of Net Assessment. This memo fulfilled part of the final requirement of PD-18 which was to write up a review of U.S. targeting policies “subject to separate instructions” (PD/NSC-18, 1977, p. 3). The separate instructions were given by Brzezinski in a memo dated 24 August 1977 (Assistant Secretary of Defense, 1977, p. 1). These separate instructions asked the review committee to “consider the relevant political and strategic advantages of several options” of various changes within strategic and conventional warfighting policy. The strategic nuclear options included: targeting seventy percent of the economic, political, and military recovery resources, ninety percent of “identified Soviet military targets and related commands, control and communication facilities,” and ensuring that the United States could equal the retaliatory power of the Soviet Union (p. 1). On the conventional side the memo asked the Secretary of Defense to offer “recommendations on the appropriate level of US capability to sustain a worldwide conventional war against the Soviet Union and its allies” that would be coordinated by the National Security Council for the President’s decision” (p. 1). Those recommendations would be based on evaluations of the Warsaw pact capabilities, coordination and consultation with NATO allies regarding willingness and coordinated goals, the resources available for a retaliatory strike while maintaining resources for sustained combat, “implications of alternative US-NATO

mobilization and industrial preparedness postures”, and a review of the interrelationship between various strategies.

PD-18 “postponed dealing with nuclear employment doctrine” while several studies were completed on United States strategic capabilities (Odom, 2004, pp184-185). PRM/NSC-32 was one of these studies that was ordered on September 30, 1977. The purpose of PRM/NSC-32 was to analyze civil defense programs in the United States and Soviet Union (PRM/NSC-32, 1977, p. 1). The term civil defense includes “all activities related to the protection from attack of population, industry, and political leadership below the level of the national command authority” (PRM/NSC-32, 1977, p. 1). The results from this study “prompted the issuance of PD-41, setting a new civil defense policy, stating that both defensive and offensive capabilities were part of the overall strategic balance with the Soviet Union” (Odom, 2004, p. 190). The Carter administration was also focused on the creation of FEMA and dealing with communication problems within the Defense Department (p. 190-192).

Nuclear targeting policy review. On June 22, 1978 Brzezinski signed PRM/NSC-38 which called for a study on the military and political aspects of long range nuclear force capabilities in Europe and what the potential of long range nuclear force were in arms control negotiations. This was a Secret document addressed to the vice President, Secretary of State, and Secretary of Defense. The Director of Arms control and Disarmament Agency, the Chairman of the Joint Chiefs of Staff, and The director of Central Intelligence were copied on this memo. This study asked eight questions that would identify and assess “the major political and military issues bearing on Long-range theater nuclear capability in Europe and arms control” (PRM/NSC-38, 1978). The analysis was meant to “illuminate the issues and implications rather than to present a range for selection of definitive US positions” (p. 3). PRM/NSC-38 was intended to identify key

issues that U.S. allies could discuss “concerning force posture issues and the general guidelines for the conduct of, and consultations on, arms control issues” as well as identify any issues which the U.S. should discuss and decide upon prior to speaking to the allies (p. 3).

On November 1, 1978 the Nuclear Targeting Policy Review was completed and moved the debate about limited nuclear warfare away from interagency processes and into the Department of Defense (Newmann, 2003, p. 94). This study became the foundation for both the defense budgets, of FY1980 and FY1981 and was used to construct SIOP 5D in October 1979 (Auten, 2008, p. 284). The NTPR was classified as Top Secret and the document doesn’t have a list of addressees. The NTPR was commissioned by Secretary of Defense Brown and led by a former state department official Leon Sloss. The purpose of this document was to review the relationship between the stated policies on the one hand of PD-18 and NSDM 242 and on the other the actual targeting plans used to carry out those policies. The document I am reading was the executive summary which was declassified as amended on Sept. 25, 2009. It consists of 16 pages and approximately two and a half pages worth of text were redacted.

One of the most interesting parts of this report was the statement that the United States believed that the Soviet Union was not only preparing for a nuclear war, but that they might be able to win a nuclear war (NTPR, 1978, pp. i-ii). The major findings of this document are summarized in the subheadings of deterrence, escalation control, and general war plans. The section on deterrence argues that since military leaders believe that the Soviets are planning on succeeding in the case of nuclear war that the United States needs to adopt strategies that would limit the Soviet chances of success in case of war (p. ii). These strategies included the option to escalate hostilities during a conflict (p. ii). The section on escalation control argues that the United States needs to be able to control conflict before it results in an all-out nuclear war (p. iii).

Escalation control has been hindered by deficiencies in the actual plans of non –SIOP, limited nuclear options, due to ineffective political and military support (p. iii). The section on general war plans outlines that the current plans are supposed to impede Soviet recovery from nuclear war, and to destroy the Soviet military command as well as their nuclear and non-nuclear forces (p. iii). The study then offers five major policy changes and eleven major recommendations to the existing nuclear targeting policy.

SCC meeting. The SCC met on April 4, 1979 to discuss the strategic force employment policy (SCC, 1979; Utgoff, 1979). This was a closed door meeting and the minutes were classified Top Secret. The participants were Secretary of State Cyrus Vance, Secretary of Defense Harold Brown, Deputy Director of the Arms Control and Disarmament Agency Spurgeon Keeny, The Chairman of the Joint Chiefs of Staff General David Jones, National Security Advisor Zbigniew Brzezinski, Deputy National Security Advisor David Aaron, Director of Central Intelligence Admiral Stansfield Turner, and Victor Utgoff of the National Security Council. The chairman, General David Jones of the Joint Chiefs of Staff, argued that this SCC could lead to a National Security Meeting which would lead to a Presidential Directive conserving strategic forces policy (Utgoff, 1979, p. 1) “or at least an update – some parts of the current PD need an update” (SCC, 1979, p. 1). The meeting itself had a report from the DOD which started with a summary of the Nov 1 Nuclear Targeting Policy Review (SCC, 1979, pp. 1-2; Utgoff, 1979, pp. 1-2). After the department of defense summary the Chairman, Brzezinski, then framed the remaining conversation under three general questions: “what are the requirements of (1) stable deterrence at all levels; (2) crisis bargaining; and (3) effective war management?” (Utgoff, 1979, p.2). The SCC came up with eight specific issues which they decided should be framed according to those specific questions. This meeting came to the

agreement that a greater flexibility and endurance for the United States strategic force was something that should be incorporated into the strategic policy. The Chairman then asked the Department of Defense to prepare papers and briefings on the topics discussed in the SCC meeting. The following day, April 5, 1979, Utgoff wrote an action memo to Brzezinski which identified two issues that should be discussed in the future meetings. This memo was attached to the original document.

PD-59. PD/NSC-59 “Nuclear Weapons Employment Policy” (hereafter PD-59) was signed by President Carter on July 25, 1980 and addressed to The Vice President, The Secretary of Defense, The Assistant to the President for National Security Affairs, and The Chairman of the Joints Chiefs of Staff. PD-59 begins by setting forth a policy framework of requirements from which deterrence strategy can evolve. The overarching requirement in this directive was to establish a deterrence policy which would be able to engage specific policy objective (operations that are not necessarily planned in advance) within a nuclear theater. The copy I am reading was declassified with only one sentence expunged on July 24, 2012.

The previous version had several sections expunged which consisted of everything after the heading “pre-planned options” on page 2 of the Presidential Directive. The sections that remain introduce the document as response to the PD-18 follow-up studies. It reaffirms PD-18’s statement of essential equivalence but puts a stronger focus on maintaining an environment where no outcome of aggression would be seen as favorable. The expunged sections cover choosing targets for retaliatory strikes, the nature of those targets, flexibility in nuclear targeting, maintaining reserve forces to be used after a nuclear strike, categories of military targets, C³I, and Implementation of the directive.

The actual document is set up to “outline policies and actions in the nuclear force employment field to secure” nuclear deterrence in light of “the growing Soviet strategic weapons arsenal and its capabilities” (Carter, 1980). PD-59 puts forth the deterrence philosophy that deterrence should protect the United States and its allies from both nuclear and non-nuclear attacks so that

in considering aggressions against our interests any adversary would recognize that no plausible outcome would represent a victory or any plausible definition of victory.... if deterrence fails initially, we must be capable of fighting successfully so that the adversary would not achieve his war aims and would suffer costs that are unacceptable, or in any event greater than his gains, from having initiated an attack. (p. 1)

PD-59 required that nuclear forces would work in conjunction with non-nuclear forces to “pursue specific policy objectives selected by the National Command Authorities at that time, from general guidelines established in advance” (p. 2). To achieve these goals improvements need to be made to nuclear and non-nuclear forces, the C³I (Command, Control, Communications, and intelligence) related to those forces, the employment plans and planning apparatus for those forces. This is all done “to achieve a high degree of flexibility, enduring survivability, and adequate performance in the face of enemy actions” (p. 2). These requirements set the standard for improving operations using seven main categories of investigation.

Within the body of PD-59 deterrence philosophy is invoked as the centerpiece of this document stating “the purpose of this directive is to outline policies and actions in the nuclear force employment field to secure [nuclear deterrence]” (PD-59, 1980, p. 1). PD-59 then invokes exactly what nuclear deterrence is for this document:

Our strategic nuclear forces must be able to deter nuclear attacks not only on our own country but also on our forces overseas, as well as on our friends and allies, and to contribute to deterrence of non-nuclear attacks. To continue to deter in an era of strategic nuclear equivalence, it is necessary to have nuclear (as well as conventional) forces such that in considering aggression against our interest any adversary would recognize that no plausible outcome would represent a victory on any plausible definition of victory. To this end and so as to preserve the possibility of bargaining effectively to terminate the war on acceptable terms that are as favorable as practical, if deterrence fails initially, we must be capable of fighting successfully so that the adversary would not achieve his war aims and would suffer costs that are unacceptable, or in any event greater than his gains, from having initiated an attack. The employment of nuclear forces must be effectively related to operations of our general purpose forces. Our doctrines for the use of forces in nuclear conflict must insure that we can pursue specific policy objectives selected by the National Command Authorities at that time, from general guidelines established in advance. (PD-59, 1980, p. 1)

PD-59 enters the discourse of deterrence with the question of “what happens when deterrence fails?” This question embodies a paradox within the nuclear age; nuclear deterrence depends upon nuclear weapons and nuclear strategies which are created for the express purpose of never being used. If anyone “openly admitted that the nuclear arsenal was unlikely ever to be activated then the deterrent lost all credibility” (Freedman, 2003, p.375). This need to present the nuclear arsenal as a possibility in war is reflected in the NTPR which argues that the Soviet Union needed to be convinced that the United States was not only willing to use nuclear weapons but also that the United States was going to escalate to nuclear conflict in the case of aggression

(NTPR, 1978, p. ii). The debate over nuclear warfighting kept the tools of deterrence viable against this paradox. In the opening section, when discussing deterrence, PD-59 sets up its main focus

To this end and so as to preserve the possibility of bargaining effectively to terminate the war on acceptable terms that are as favorable as practical, *if deterrence fails initially*, we must be capable of fighting successfully so that the adversary would not achieve his war aims and would suffer costs that are unacceptable, or in any event greater than his gains, from having initiated an attack. (Emphasis mine) (PD-59, 1980, p. 1)

Within the discourse of deterrence one of the ongoing sites of struggle is the idea of how to effectively deter aggression. This developed into two main philosophies: the first is the philosophy of arsenal management in order to prevent any aggression, and the second is to prepare for active engagement with the enemy. In the 1970's these philosophies are characterized as M.A.D. versus nuclear warfighting. This debate comes forth within PD-59 and its subsequent discourses. PD-59 maintains the Single Integrated Operational Plan (SIOP), which was at that time the plan for a massive counterstrike, as a cornerstone for deterrence (PD-59, 1980, p. 2). In addition to maintaining a pre-planned massive counterstrike against the U.S.S.R. it directed SIOP to set up strike plans for other "response to specific, lesser contingencies (including attacks on Cuba, SRV [either the Socialist Republic of Vietnam or Stevie Ray Vann, PD-59 doesn't offer contextual clues for clarification] and North Korea as appropriate)" (PD-59, 1980, p. 2). The heart of SIOP was to destroy the Soviet Union's political, military, and urban-industrial base (Senate, 1980, p. 4). PD-59 puts an emphasis on pre-planned military strikes to be included within SIOP, including theater forces within the context of an active campaign (PD-59, 1980, pp. 2-4). SIOP is also directed to limit the damage to urban context (PD-59, 1980, P. 3).

PD-59 recognizes the importance of SIOP within deterrence but introduces several elements which demonstrate a vision past D day +10 hours (the amount of time needed to execute the SIOP) (Odom, 2004, p. 180). Under the overarching theme of *flexibility* PD-59 asks for more options of pre-planned targets and an improvement on intelligence and communication to achieve strategic objectives. Within the document are arguments to maintain a support force which “should be the most survivable and enduring strategic systems consistent with the need for a flexible and varied reserve force capable of being effectively employed against a wide target spectrum and withheld if necessary for a prolonged period” (PD-59, 1980, p. 3).

This fundamental change in policy was developed from a discourse that a strict reliance upon M.A.D. doctrine had created a deficit within military strategy. While Limited Nuclear Options (LNO) had been a strategic talking point for years prior, officials complained that they had no political guidance on how to select LNO targets and there were no plans on how to extend a nuclear encounter past the initial execution of SIOP (Odom, 2004, pp. 180-182). There was also a tension between an absolutist interpretation of M.A.D., complete with the extinction of anything resembling recognizable as an organized civilization, and the belief that nuclear warfighting would experience a day after which needed to be planned for (Odom, 2004, p. 182). Proponents of a LNO believed that the United States would be able to avoid an all-out nuclear war if they were able to respond to aggression by the Soviet Union through warning strikes. Opponents believed that the only thing that prevented a nuclear war was the fact that both the United States and the Soviet Union targeted major cities with nuclear weapons. After setting up the main requirements of a deterrence policy which will operate as a pre-planned large nuclear response, as well as a flexible response to immediate military operational requirements, PD-59 highlights seven areas of investigation where policymakers can implement revisions to existing

operations. Those seven areas are pre-planned options, flexibility, reserve forces, targeting categories, C³I, the relationship of acquisition policy to employment policy, and implementation.

The area of pre-planned operations deals with how to modify the existing SIOP program to account for the new focus on flexibility. SIOP is the general plan for executing a nuclear war which prioritizes different targets based on different nuclear sceneries and gives the President of the United States a series of targeting options (Freedman, 2003). PD-59 offers three requirements which are designed to move SIOP from a mutually assured destruction (hereafter M.A.D.) to a nuclear warfighting philosophy. The first requirement is that SIOP should provide effective retaliatory strikes even in the situation where the United States forces have been reduced due to a first strike. The second requirement is for SIOP to develop “flexible sub options that will permit, to the extent that survival of C³ allows, sequential selection of attacks from among a full range of military targets...while retaining a survivable and enduring capability that is sufficient to attack a broader set of urban and industrial targets” (Presidential Directive 59, 1980, p. 2). These are to include options “in response to specific, lesser contingencies (including attacks on Cuba, SRV and North Korea as appropriate) [next two lines redacted]” (p. 2). The third requirement gives the president the option to launch nuclear weapons prior to an attack when the United States nuclear forces are at full strength.

The second area addresses flexibility and outlines the short notice operations necessary for a nuclear warfighting strategy. This section sets up a structure for nuclear employment policy which needs the ability to design plans on short notice “in response to the latest and changing circumstances” which will allow the integration of conventional forces to achieve objectives when “when pre-planned response options are not judged suitable in the circumstances” (Presidential Directive 59, 1980, p. 2). In order to achieve this objective PD-59 outlines that staff

capabilities need to be developed “in peacetime, during crises, and during protracted conflicts” in order to create short notice plans “based on the latest intelligence” and intelligence which will be able to do damage assessment on short notice targets (pp.2-3).

The next two sections cover reserve forces and targeting categories. Both of them move the philosophy from M.A.D. to a nuclear warfighting scenario that combines nuclear and conventional forces and moves planning past the initial strike into a sustained conflict model. The third section covers reserve forces for use after a first wave of attack and gives a two year timeframe to increase the reserve forces so that a prolonged nuclear scenario could be sustained. The fourth section outlines targeting categories and gives an outline of the types of military targets. The targets will be selected “for the purpose of destroying enemy forces or their ability to carry out military operations” with a focus on minimizing collateral damage (Presidential Directive 59, 1980, pp. 3-4). C³I and the relationship of acquisition policy to employment policy are both directed to support the new focus on flexibility. Finally implementation sets up plans for initial testing and evaluation of these new directives.

Public discussion

The tension between different ideas of deterrence came out in subsequent discussions regarding PD-59. PD-59 was never supposed to be completely secret, and Brown was supposed to introduce the policy to the public on August 20, 1980 (Newman, 2003, p. 97). On July 27, 1980 William Beecher of the *Boston Globe* broke the story on PD-59 to the public. That story prompted the Carter Administration to get permission from the National Security Committee to leak the story to Michael Getler of *The New York Times* and Richard Burt of the *Washington Post* (Brzezinski, 1980, Aug. 22, p. 2; Cutler, 1980, p. 5). Burt was already planning on producing a follow-up of Beecher’s story when he was approached by the Carter Administration.

On August 5, 1980 Deputy Under Secretary of Defense Walter Slocombe briefed Getler and Burt in two separate locations “where the evolutionary character of the doctrine was stressed” (Brzezinski, 1980, Aug. 22, p. 2). It was very unusual for the Carter Administration, or any administration, to privately brief members of the press on secret policies (Beecher, personal communication, 2015). The following day both *The Washington Post* and *The New York Times* published follow ups on Beecher’s story. These follow up’s contained the official spin that President Carter had signed a presidential directive that “modifies the strategy the United States would use in fighting a nuclear war with the Soviet Union” (Getler, 1980, Aug. 6, p. A10) or that he “adopted a new strategy for nuclear war” (Burt, 1980, Aug. 6, p. A1). Burt’s article added the fact that “neither the State Department nor the Arms Control and Disarmament Agency had been involved in formulating the strategy” (Burt, 1980, Aug. 6, p. A1). The timing of the leak happened about a week prior to the Democratic National Convention, and there was speculation that Carter’s bid for reelection may have played into the timing of the document itself (Newman, 2003, p. 97); however the correspondence between policy makers demonstrates that the document was leaked in response to Beecher breaking the story (Brzezinski, 1980, Aug. 22, p. 2; Cutler, 1980, Sept. 4, p. 5).

Beecher broke the story about “the Carter Administration is developing a modified nuclear war strategy aimed at convincing the Soviet Union it would have much more to lose than gain in attempting a major attack” (Beecher, 1980, July 27, p. 1). This article outlines the thinking that city strikes are not very good deterrence against Soviet aggression.

Instead, the stress is on systematically destroying Soviet military forces, Soviet leaders in their concrete bomb shelters throughout the country, and key factories outside major cities. With its army, leadership and production devastated, the thinking goes, the

Russians could not be confident about achieving their military objective, such as occupying Western Europe or the Persian Gulf oil fields. Further, they would have to worry whether, in the post-war world, without cohesive leadership cadres or forces, they could maintain control over the Soviet empire or even defend their eastern frontier against China. (Beecher, 1980, July 27, p. 1)

Beecher also mentions how the timing of this policy allows Carter to represent himself as stronger on the defense issue in the 1980 Presidential race.

The second section of Beecher's article outlines what the policy makers thought was the nature of the Soviet Union's nuclear doctrine, and why there needed to be a change in the United States doctrine. This section mirrors much of what the NTPR theorized was the Soviet Union's military policy. Beecher reports that the Soviet Union's current military doctrine is to achieve victory "by non-nuclear military means if possible or by nuclear war if necessary" (Beecher, 1980, July 27, p. 12). The reason a new nuclear strategy is needed is because the Soviet Union have been preparing for an actual strike on Soviet soil, while the United States has not developed similar resources. Ultimately the Soviet Union would see both the United States and Soviet Union in shambles, while the Red Army occupied Europe (p. 12). In order to make deterrence effective to the Soviet Union the actual leaders need to feel pressure that even within their bunkers they will personally lose "all that he holds dear" if they are to be deterred from war (p. 12). The article ends with the recognition that there will need to be improvement in the United States targeting ability if this new doctrine is to be implemented.

Beecher's article broke the story and prompted Burt's plan to publish a detailed follow up of Beecher's findings. This plan was uncovered by unnamed policy makers on Aug. 5, 1980, the day before Burt planned to publish his follow up. In an unusual move (Beecher, personal

communication, 2015), the Department of Defense and the National Security Council approved Slocombe to brief Burt at “defense,” and Getler at the NSC on the presidents nuclear policy (Brzezinski, 1980, Aug. 22, p. 5). At these briefings “the evolutionary character of the doctrine was stressed since there was concern that [Burt] would attempt to hype the story” (Brzezinski, 1980, Aug. 22, p. 5). Both stories appeared the following day on Aug. 6, 1980.

The Washington Post described the Presidents nuclear strategy as placing less emphasis on all-out retaliation against Soviet cities in the event of a Russian attack. Instead, there would be greater emphasis on destroying Soviet military forces and both political and military command centers early in a conflict in hopes of convincing Moscow that it could not ultimately “win” a war. (Getler, 1980, Aug. 6, p. A10)

The Washington Post contrasted the Presidents policy with what it described as the former policy, and in doing so engaged the discourse of M.A.D.

For much of the past two decades, the United States has relied on having enough nuclear might to smash all major Soviet cities and industries, even after absorbing a first strike by Moscow, so that the Soviets would be deterred from such an attack in the first place. This was called by the appropriate name MAD, for mutual assured destruction. It is still a major part of U.S. strategy. (Getler, 1980, Aug. 6, p. A10)

The fact that this article makes a point to state that the existing M.A.D. philosophy is still a major part of United States military strategy becomes interesting because the change demonstrates flexibility in the discourse. The change, as reported in the Washington Post, is that the United States might no longer just fire a warning shot or an all-out salvo. Rather, it might try to quickly destroy tank divisions, military command centers and perhaps underground shelters housing civilian leaders in the attack region to show that the thrust

of U.S. response would not be just to kill Soviets but to prevent military victory. (Getler, 1980, Aug. 6, p. A10)

This policy is possible “because new, more accurate weapons...are now entering service” (Getler, 1980, Aug. 6, p. A10).

The motivation behind the change from a M.A.D. doctrine to that of a limited nuclear war consists of both Soviet sincerity and the material capacity of the United States. In addition to the Soviet military force growing larger than the United States forces, the *Washington Post* highlights the fact that “some specialists” now have an appreciation for the fact “that Soviet military doctrine did not necessarily accept the idea that a nuclear war could have no winners” (p. A10). An additional motivation was the technological capacity of the United States some of which still needed to be developed to successfully run operations.

On the same day as the *Washington Post* leak *The New York Times* also ran an article regarding PD-59. *The New York Times* described the new policy as giving “priority to attacking military targets in the Soviet Union rather than to destroying cities and industrial complexes” (Burt, 1980, Aug. 6, p. A1). PD-59, according to this article, “contained the following changes in nuclear policy: - Prime nuclear targets are to be Soviet military forces and the country’s political leadership” and these new targets were chosen they are “the targets the Soviet leadership values most: its military forces and its own ability to maintain control after war strikes” (p. A1). This policy changes nuclear deterrence focus from the 1960’s policy that “relied on the threat of the destruction of Soviet cities to deter a major war” to one which “asserts that the best way to prevent a manor conflict with Moscow is to be capable of waging a prolonged but limited nuclear war” (p. A1). *The New York Times* argues that deterrence was founded in the 1940’s and 1950’s when the United States “then far and away the leading nuclear power, adopted the so-

called massive retaliation strategy, which held out the possibility of countering Soviet conventional thrusts with nuclear retaliation” (p. A1). The new policy would modify the current SIOP procedure by identifying new targets once war has begun, and having a reserve force that could fight a prolong war of weeks or even months.

The New York Times argued that the change in policy was necessary because senior officials have “gradually reached the conclusion that Moscow did not accept Washington’s concept of mutual deterrence and that the United States needed to be able to fight a small-scale nuclear war” (Burt, 1980, Aug. 6, p. A1). The Carter Administration argued that the policy itself “would lessen the likelihood of a major war because it would deter Moscow, in any future crisis, from launching pinpoint nuclear attacks of its own” (p. A1). The debate between M.A.D. and limited nuclear war focused the criticism to the limited nuclear war option being framed within two contexts: the first being that within a scenario where first strike is an option which wouldn’t result in catastrophic consequences that “the pressures for both sides to launch their missiles in a severe crisis would become intense,” and the second criticism saying that the “plans would require much larger and more sophisticated forces than now exist” (p. A1). The technology necessary is identified as the new MX mobile missile program, as well as “associated improvements in military command, control and communications capacities” (p. A1).

A major focus of this article is President Carter’s motivation for signing this policy. The heading “No Prior Hint of Policy Change” starts with the sentence “although officials said that the effort to revise nuclear policy was initiated by Mr. Brzezinski early in 1977, Mr. Carter [sic.] and a number of senior officials gave little indication in public statements that a substantial shift in nuclear strategy was under way” (Burt, 1980, Aug. 6, p. A1). The article then offers evidence that President Carter had previously been skeptical of the concept of limited nuclear war. The

motivation for the change in Carter's approach is identified directly as being spearheaded by Brzezinski and Brown, and indirectly as being motivated by the upcoming presidential election; although it is noted that the liberal wing of the Democratic Party will attack this change in policy. It is also mentioned that neither the State Department nor the Arms Control and Disarmament Agency was involved in the drafting of this document.

On August 7, 1980 Burt offered a news analysis in *The New York Times* which frames Carters nuclear policy as the culmination of almost a decade of debate over nuclear policy (Burt, 1980, Aug. 7) and contributes to the narrative that PD-59 is an evolution of nuclear policy rather than a sudden break with the existing policy. This article summarizes the strategic debate over nuclear weapons and attempts to answer why Carter's nuclear policy appears to be a sudden change to the public, but it is in fact the continuation of a carefully constructed strategic policy. Carter's nuclear policy is summarized as the ability to "make pinpoint nuclear strikes against military targets in the Soviet Union" (p. A3). This policy challenges the popular idea of deterrence as the targeting of cities in order to avoid nuclear war (p. A3). Burt argues that while it appears that current technological advances, political pressure, and Soviet strategic forces make this policy an inevitability, the truth is that the policy is actually the continuation of an ongoing debate over what would "deter the Soviet Union from committing large scale aggressions" (p. A3). The debate in this piece is characterized as a historical conflict between the policies of 1970's Secretary of Defense James R. Schlesinger "selective strategic options" and the earlier Secretary of Defense Robert S. McNamara's idea of targeting cities (p. A3). President Carter originally expressed skepticism over limited nuclear strikes; but in light of Soviet military development, political criticism, and the advance of technology President Carter has embraced the idea of limited nuclear war (p. A3).

On August 8, 1980, *The New York Times* reported on the Soviet response to PD-59. This response took the form of an article written by “Boris Orek@hov” [sig, I believe the real name is Boris Orekhov, which is how this name will be represented in the rest of the study] which was published in the Soviet Communist parties principle newspaper *Pravda* (Austin, 1980, Aug. 8). Orekhov’s main criticism against President Carter’s nuclear policy was the idea that deemphasizing strikes against cities in favor for a “limited nuclear war” would stimulate the arm race rather than stabilize Soviet relations. *Pravda* also notes that it is unusual that both the “State department and the Arms Control and Disarmament Agency had been excluded” from the construction of PD-59 (p. A6). The article suggests that the White House national security advisor Zbigniew Brzezinski and Defense Secretary Harold Brown intentionally left those two departments out.

On August 10, 1980 *The New York Times* started a series of reports which focused on Secretary of State Edmund S. Muskie’s response to the news of PD-59. The reports argue that Muskie was informed of President Carter’s “decision to revise American nuclear war strategy only when he read news reports about it” (Gwertzman, 1980, Aug. 10; see also Oberdorfer, 1980, Aug. 12). This issue became a serious concern for the Carter Administration, and the State Department’s exclusion from the new policy was picked up by *The Washington Post* as well as Soviet papers (Austin, 1980, Aug. 8; Doder, 1980, Aug. 12; Oberdorfer, 1980, Aug. 12). Muskie pointed out that he didn’t believe there were any problems with the policy, he believed that this was just a symptom of a larger problem with how the Carter Administration handled policy making (Gwertzman, 1980, Aug. 10). Muskie’s criticism against the Carter Administrations policy making was repeated by Senator Edward Kennedy at the 1980 Democratic National Convention (Gwertzman, 1980, Aug. 12). The State Department itself picked up on this narrative

of being excluded from the nuclear policy discussions and pointed out that the entire department had not participated or been informed of any changes to nuclear doctrine in over two years (Doder, 1980 Aug. 12; Gwertzman, 1980, Aug. 12; Oberdorfer, 1980, Aug. 12). The White House argued that the State Department doesn't usually participate in war plans (Burt, 1980, Aug. 13).

After Muskie spoke with reporters, Brown telephoned him to discuss Muskie's concerns (Gwertzman, 1980, Aug. 10; Aug. 12). Brown then sent Deputy Assistant Secretary of Defense Walter Slocombe to meet Muskie in Main to brief him on PD-59 (Gwertzman, 1980, Aug. 12; Oberdorfer, 1980, Aug. 12). Afterwards Muskie reported that after people realized that he had been excluded from PD-59 his role in the policy process has been enhanced (Gwertzman, 1980, Aug. 14; Oberdorfer, 1980, Aug. 14). A State Department spokesman David C Passage stated that Muskie "'would be pursuing better coordination in the policy process'" even though there were no concrete procedural changes proposed at the time (Gwertzman, 1980, Aug. 13).

Political discussion

After the leak of PD-59 a series of commentaries began circulating that all discussed various aspects of PD-59. These documents were both secret as well as publically available but at the time of their publication they were intended for an exclusive internal audience even if they were not exclusively classified.

PD-59 was constructed behind closed doors with only close advisors of President Carter participating in the discussion. When the news was leaked several members of congress and the Secretary of State believed they were intentionally left out of the discussion. The Department of State and White House produced several documents at this time which were intended to try and make sense of PD-59 and the consequences of the leak.

In response to the leak, on Aug. 6, 1980 the State department's Director for Political-Military Affairs Reginald Bartholomew wrote a briefing addressed to the Secretary of State Muskie which appears to be an internal document. This briefing goes over the origins, potential criticisms, and public responses to those criticisms regarding the policies contained within PD-59 as derived from public records. Bartholomew at this time didn't have access to PD-59 and did not make any reference to sensitive topics but assumed that the press reports of the directive were accurate. As such the status of this document is unclassified and was addressed to the Secretary of State. In this document PD-59 is characterized as a move away from countervalue targets to counterforce targets. Bartholomew is critical the press account of the directive as a new policy but rather sees it as the culmination of an extended discussion regarding nuclear targeting policy. The Bartholomew memo doesn't make any policy suggestions, but does offer what Muskie's responses ought to be when faces with various criticisms of the policy by critics within the United States.

Bartholomew identifies three main criticisms which might occur due to the leak of PD-59. To restate, at the time that this memo was published the leak had just occurred and Bartholomew is simply hypothesizing what potential criticisms may come he is not responding to any actual criticisms from the leak. Each criticism is identified based on the audience which would offer the criticism. The first criticism would come from opponents in the United States, the second criticism would come from Europe and the Soviet Union, and the third criticism might come from the United States allies.

The first of these criticisms offers a possible reply by Muskie while the other two simply offer possible criticisms. Bartholomew argues that people in the United States may have three criticisms: first they may interpret PD-59 as a move to make war more palatable by targeting

military rather than civilian forces, secondly they may accuse PD-59 of weakening deterrence by making conflict possible without complete destruction, and third PD-59 may weaken the strategic balance. In response he argues that the Secretary of State ought to point out that SIOP is still a centerpiece of United States nuclear targeting, that PD-59 simply introduces flexibility into the United States targeting policy, and that “we can also highlight Harold’s [Brown] belief that no nuclear war would stay limited for very long” (Bartholomew, 1980, p. 2). The second criticism is framed as coming from Europe and the Soviet Union. The heart of this criticism is that PD-59 is an attempt to gain first strike capabilities. The third possible criticism comes from Allies of the United States. Bartholomew points out that the United States has done a good job of keeping their allies informed about the nuclear targeting policy. As such the only possible criticism that Bartholomew suggests is that the United States Allies may complain that they were not informed about the PD prior to the leak.

On Aug. 15, 1980 the Deputy Director of Political Military Affairs David Gompert forwarded a paper he produced at the request of the Deputy Secretary of State Warren Christopher to the Special Assistant to the Deputy Secretary of State Gene Martin. The purpose of the paper, titled “Evolution and Foreign Policy Consequences of New Nuclear Testing Policy (PD-59)” [hereafter: Gompert paper], was to clarify the foreign policy implications of PD-59 and to create a timeline for the evolution of nuclear policy thinking as it relates to the State Department. Attached to the Gompert paper is a memo which forwards the paper to Leon Fuerth who worked in the Office of the Councilor by the Executive Secretariat Raymond G. H. Seitz on Aug. 20, 1980. This memo suggests that Fuerth look over the Gompert paper and addresses some confusion about when the PD policies were discussed. The Seitz memo says that Cutler, who I am assuming is Deputy Assistant Secretary of State for Congressional Affairs Walter Cutler, is

confusing SALT testimony with SCC meetings because “nothing PD-related was discussed in July, September, October of 1979” (Seitz, 1980). No additional context is added.

The Gompert paper is a seven page document which addresses the foreign policy implications of PD-59 and then creates a timeline of the construction of PD-59. The first section titled “foreign policy implications” gives an overview of how different nations may react to the new strategic deterrence policies outlined in PD-59. The Gompert paper specifically states that “this assessment does not deal with the effects of PD-59 on deterrence, stability, and strategic force acquisition policy, all of which have major – if not immediate and direct – foreign policy implications” (Gompert, 1980, p. 1). The first section covers the United States Allies response, the Soviet response, as well as the Chinese response and then discusses the press leaks. The press leaks are framed as overblown and failing to account for the evolutionary character of the doctrine (p. 3). This section ends with a series of recommendations for how to respond to the various criticisms of PD-59. Those recommendations are to emphasize the evolutionary character of PD-59 and show that it is supposed to supplement already existing policies in order to reinforce current deterrence policy (p. 5).

The second section of the Gompert paper discusses the timeline of the State Department’s involvement with PD-59 starting with Schlesinger’s policies (1980, p. 5-7). The timeline covers several key moments in the construction of the Carter Administrations nuclear targeting policy including: PRM-10, PD-18, NTPR, and the following SCC meetings. This timeline argued that “although the State Department participated extensively in PRM-10, it was unable to become involved in the subsequent nuclear targeting review [NTPR]” (p. 6). Gompert points out that the State Department tried to get involved in the NTPR but was told by the DoD that instead of doing the studies on an interagency basis the studies would be submitted for interagency review

after the fact. After receiving Phase I of the NTPR the state department submitted several unsolicited comments which “made clear our belief that central foreign policy considerations were being overlooked” but they received no reply, and the final copy “remained substantially unresponsive to the concerns we flagged” (p. 6). After the SCC meetings the State Department attempted to follow-up with the NSC and OSD staffs was rebuffed and they didn’t receive any additional information regarding nuclear targeting after the 1978 NTPR study (p. 7). The final paragraph of this document points out that the State Department was able to offer comments on draft versions of official reports which lead to PD-59 “that cannot substitute for active State Department involvement in the formulation and assessment of national security decisions that have significant foreign policy implications” (p. 7).

On Aug. 22, 1980 Brzezinski supplied the Secretary of State and Secretary of Defense with a chronology of PD-59 which was supposed to clarify the PD-59 “epic.” The document chronicles four phases that influenced the emergence of PD-59 under the following headers: phase I work on targeting policy, phase II surfacing of the evolved doctrine, phase III emergence of PD-59, phase IV the public flap, conclusion (Brzezinski, 1980). The timeline is mostly chronological in nature and intend to show how PD-59 was a transparent interagency process. One significant historical note of this document is that Brzezinski identifies the source of the leak as William Beecher. Brzezinski states that “the previous Sunday, August 3 [sic. The actual date was July, 27], Beecher of *The Boston Globe* published a leak on the existence of a draft PD” (p. 2). This is the first place where an explanation is given as to why the Carter Administration participated in releasing PD-59 to the public through *The New York Times* and *Washington Post*. The conclusion section argues

1. All of the agencies were involved in the evolution of the new doctrine.

2. The new doctrine has been publicly surfaced, starting with 1979, and much more fully in 1980, including briefing of the Allies in June of 1980. State was involved in this.
3. Our Allies have shown no concern and understand the utility of the change.
4. PD-59 is designed to be an implementing [underlining in original] directive, altering war plans in accordance with the evolved doctrine.
5. There was no intention to exclude the Secretary of State and the assumption was that, prior to the June NATO meeting, he was briefed by his own people, at least in general terms, on the evolving approach. (Incidentally, Vance [Secretary of State Cyrus Vance] feels that he was adequately consulted when in office and has so indicated to Brown). (1980, pp. 2-3)

This document is supposed to counter the narrative that PD-59 was developed without adequate oversight.

On Sept. 2, 1980 Marshall Shulman sent a secret memo to Secretary of State Muskie where Shulman voices his concerns regarding PD-59. The document I am reading was declassified on Sept. 24, 2010. Shulman states that “my concerns about PD-59 fall into two categories, procedural and substantive” (Shulman, 1980, p. 1). His procedural concerns start with “this was a case study in how not to make national security policy” (p. 1). This section makes three claims: 1. That “the decision-making process was neither orderly nor reasonable” 2. That because of the exclusion of the State Department the effects of PD-59 on other nations were not adequately factored into the decision making process, and 3. The rushed leaks done by the National Security Council gave the appearance of a political motivation dominating the decision making process (p. 1). The conclusion of the procedural concerns ends with

The net effect of this episode was very negative, irrespective of the substance of the issue. We projected an image of a decision-making process dominated by public relations image building. (p. 1)

Shulman starts his substantive concerns with the statement that he has not seen PD-59 and it is therefore difficult to speak to the actual policy. In spite of this fact he does raise two major concerns. The first is that the characterization of the Soviet military capabilities that helped guide the construction of this policy “are unrealistic and assume a Soviet leadership gone mad” and were acquired through inadequate intelligence procedures to make such a claim (p. 2). A second concern is that a strike at the Soviet C3 networks and leadership structure could result in an all-out retaliation, while at the same time knocking out the only means of maintaining communication with the Soviet leadership (p. 2). Shulman argues that if war is to be limited at all communication with both sides is essential. Shulman does not believe that nuclear war can be limited.

On Sept. 4, 1980 White House Counsel Lloyd Cutler sent Leon Fuerth, Office of the Counselor a top secret timeline of the Carter Administrations targeting policy. In a handwritten memo addressed to “Sec” [Secretary of State Muskie] which was written on the original document Fuerth states “this appears to be both accurate and nonpolemical” (Cutler, 1980, Sept. 4, p. title). The timeline itself was constructed using “separate chronology prepared at NSC, State and DoD and my subsequent interviews with each of the three principals” This document outlines the chronology of PD-59 starting with PD-18 and ends with Brown discussing PD-59 with Muskie on Aug. 14, 1980 (pp. 1-5). This document reinforces the idea that at various times the State Department tried to get involved with the policymaking. On April 26, 1979 during the Special Coordination Committee’s on issues of nuclear targeting Deputy Secretary of State

Warren Christopher asked for the follow up studies to be done on an interagency basis (p. 2).

The policy was developed by the Department of Defense and National Security Council and all future attempts by the State Department to engage the targeting policy are met with silence until Brown meets with Muskie after PD-59 is signed. This timeline reinforces that Beecher broke the story on July 27, 1980, and that the National Security Council approved the leak to Burt and Getler even though it appeared they both already had the story (p. 5). This timeline identifies Getler as the source of the accusation that the State Department was left out of the PD-59 discussion.

On Sept. 4, 1980 Executive Secretary Peter Tarnoff sent a Secret/Sensitive memo to Muskie titled “Your breakfast with the President Friday, September 5, 1980.” This memo had seven points one of which was PD-59. Two main concerns that Tarnoff believes Muskie should sort out why there was an oversight in informing Muskie that the PD was about to be signed, and if in the future Muskie can be assured that “there will be meaningful and timely consultations between State and Defense on all major strategic decisions and doctrines” (Tarnoff, 1980, p. ii).

On Sept. 5, 1980 Bartholomew sent a secret letter to Muskie in response to a memo sent from Brzezinski to Muskie and Vice president Mondale. Bartholomew is concerned that the way PD-59 is framed in the memo has fundamental differences to how it was framed in Brown’s speech to the Naval War College in Newport Rhode Island on Aug. 20, 1980. Bartholomew notes that this is important because Brown’s Newport speech is authoritative and was approved by all agencies (Bartholomew, 1980, Sept. 5, p. 1). The biggest point of contention between these two understandings of PD-59 revolve around the relationship between PD-59 and previously existing nuclear policy. Bartholomew argues that Brown framed PD-59 as “‘evolutionary’ and ‘not new’” whereas Brzezinski states that PD-59 “constitutes the ‘third

major revision of strategic doctrine since World War II” and “PD-59 is fundamentally different’ from the NSDM 242/Schlesinger ideas” (Bartholomew, 1980, Sept. 5, p. 1). This difference causes problems in both the agreed upon narrative of the evolutionary character of PD-59 as well as introduces possible interpretations which would make PD-59 a warfighting strategy rather than a continuation of deterrence. This matter is particularly urgent because both Brown and Muskie are going to be testifying to the Senate on the 16th of September. Bartholomew argues that Muskie, Brown, and Brzezinski ought to discuss these concerns prior to the Senate meetings and involve President Carter if needed.

Senate hearing. On September 16, 1980 the Senate Committee of Foreign Relations held a top secret hearing on PD 59 (Senate, 1980, p. I). A sanitized version was released for use by the Committee on Foreign Relations and that same sanitized version was published for public record on February 18, 1981. Since this document only became public after the public discussion effectively ended (by the timeline of my study) I am reading it as part of the policy discussion rather than the public discussion. The members present in order listed were Chairman Frank Church (D-ID), Joe Biden (D-DE), John Glenn (D-OH), Paul Sarbanes (D-MD), Edward Zorinsky (D-NE), Paul Tsongas (D-MA), Jacob Javits (R-NY), Charles Percy (R-IL), Howard Baker (R-TN), Jesse Helms (R-NC), Richard Lugar (R-IN). Also present to give testimony for the hearing were Secretary Muskie and Secretary Brown.

This hearing is a direct reflection of the previous discussions which were held both in the press as well as in private correspondence between government officials. During their testimony both Muskie and Brown emphasized how the United States countervailing strategy, codified in PD-59, was an evolutionary step in nuclear weapons targeting policy rather than a break from the existing doctrine. It appears that the concerns Bartholomew had regarding the inconsistency

between Brown's and Brzezinski's description of PD-59 as a continuation or new strategy was resolved, or at least wasn't mentioned, by the Senate hearings (Bartholomew, 1980, Sept. 5). The phrase "evolutionary policy" had become the talking point for the government officials by this time. They both agree that PD-59 is a deterrence policy not a nuclear warfighting strategy. Muskie also discussed reports that the State department was not involved and he assured the Senate Committee on Foreign Relations that the State Department was involved in the preparation of PD-59. The fact that he was not involved personally was an oversight rather than a symptomatic condition of a larger procedural problem.

The purpose of the senate hearings, as stated by Chairman Church, were

First, provide this committee and the Senate with the facts on Presidential Directive 59; second, to stimulate an informed debate on one of the most vital public issues—the direction and control of policies relating to the development and use of nuclear weapons.

(Senate, 1980, p. 1)

Senator Church, addressing Muskie and Brown, sets up the main focus of the discussion "why have we made these changes in our strategic doctrine, what does it mean, what will be the cost—and, most important, will it lead us to believe that we can fight and win a limited nuclear war" (Senate, 1980, p. 2). The Senate then moved into an executive session so that Muskie and Brown could offer their opening statements and answer questions.

Secretary Muskie offered a statement which addressed three main issues. The three areas of concern were the foreign policy aspects of nuclear policy, what the countervailing strategy meant to existing nuclear policy, and what the state department's role was in the creation of PD-59. Overall Muskie argued that the countervailing strategy evolved out of the United States existing nuclear weapons policy and is consistent with goals of both the United States and its

allies. According to Muskie, the two main purposes of the United States nuclear weapons policy are to demonstrate that initiating any aggression would not result in any conceivable benefit and that there could be no winner in nuclear war (Senate, 1980, p. 3). The countervailing strategy helps fulfill both of these goals and does so in such a way is consistent with both the United States and NATO's evolving nuclear policy. Muskie notes that the Soviet Union predictably is arguing that PD-59 represents a warfighting strategy but that this charge is inconsistent with both their former discomfort with United States city strikes as well as their own nuclear policies (Senate, 1980, pp. 4-5). Muskie argues that the countervailing strategy is both an effective deterrence strategy as well as establishes a firm bases to engage in diplomacy with the Soviet Union (p. 5). Upon review Muskie decided that the State Department's concern about not being included in the creation of the policy was unfounded (p. 6). Overall the bulk of the countervailing strategy was created with the assistance of Secretary of State Vance and the State Department prior to Muskie taking office (p. 6). However Muskie argues that "the preparation and issuance of a Presidential directive that codifies our nuclear strategy is itself an important action that has a significant foreign policy dimension" and that Muskie should have been involved prior to PD-59 being signed (Senate, 1980, p. 6); however, Muskie argues that this oversight is "an unintended exception to this administration's record of substantially increased State Department involvement in national security decisions" (p. 6). After Muskie, Brown's testimony mirrored Muskie's statements that PD-59 evolved from existing policy but went into greater detail as to how the countervailing strategy was developed.

Brown's prepared testimony discusses the then current state of nuclear deterrence, the preparation of PD-59, as well as an overview of misconceptions about the policy itself. While Muskie started his discussion about deterrence with an examination of the ultimate objectives of

deterrence itself, Brown begins his prepared talks discussing the requirements for a successful deterrence force. This boils down to three main requirements: a strategic force that is effective even after a first strike, a strategic balance that maintains nuclear stability while offering an effective counterattack, and a nuclear doctrine which will communicate to the Soviet Union that nuclear war is not an option to achieve their objectives. Brown argues that

The United States has never had a doctrine based simply and solely on reflexive, massive attacks on Soviet cities and population. We have always planned both more selectively—options limiting urban-industrial damage, and more comprehensively—a range of military targets. (Senate, 1980, p. 7)

The United States countervailing strategy is grounded in doctrine that goes back to the 1960's but the current PD-59 reflects current changes in Soviet capabilities and doctrine (pp. 7-8).

Brown then discusses the procedural steps that went into the formulation of PD-59 during the Carter Administration (p. 7). A key component to this evolutionary process is changes in Soviet doctrine and capabilities, which is a running theme in Brown's testimony before the Senate. Next Brown discusses the public misconceptions of PD-59. Brown argues that there are six misconceptions: that PD-59 is a new doctrine, that it assumes that the United States could win a limited nuclear war, that nuclear war could last for an extended period, that nuclear war could remain limited, that PD-59 substitutes counterforce for countervalue targets, and that PD-59 is a first strike doctrine (pp. 8-9). Brown uses this opportunity to demonstrate PD-59 is not a radical departure from the existing understanding of nuclear war and nuclear doctrine. According to Brown, PD-59 and the countervailing strategy are simply a refinement of the United States existing nuclear strategy and offers the advantage of flexible responses as a reaction to changes

in Soviet nuclear policy (pp. 8-10). The primary purpose for this change in doctrine is to effectively communicate to the Soviet Union that

given a nuclear war, whatever it is that the Soviet leadership counts as most important to it, would be threatened and would in an exchange or a series of exchanges be destroyed...The biggest difference, I would say, that PD-59 introduces is a specific recognition that our strategy has to be aimed at what the Soviets think is important to them, not just what we might think would be important to us in their view. (p. 10)

Brown's testimony outlines that PD-59 is part of the evolutionary nature of nuclear deterrence policy and is an effective deterrent to changes in the Soviet Union's military strategy.

After going over what PD-59 is and is not the Senators questioned Brown over the nature of Soviet military policy, more questions on how PD-59 works with existing policies, United States policy on first strike vs. first use, and the nature of limited nuclear strikes. One of the major concerns in these hearings is how SALT and SALT II are affected by this change in policy. Both Brown and Muskie discuss how PD-59 works with those treaties, how other changes in nuclear technology afforded a change in policy, and how United States Soviet relations affect international relations. Of specific concern is the war in Afghanistan. One important factor that comes up frequently in the remaining document is how it is important to effectively communicate to the Soviet Union how any against the United States will not afford them an advantage and how PD-59 enhances this message. Toward the end of the hearing Senator Helms states "it occurs to me that 98 percent of what has been said here the American people not only have a right to know, but ought to know" (p. 23).

The Senate hearings demonstrate how the discourse evolved from the initial closed door meetings, to the public presentation of the document, and back to closed door memos and

meetings. Each of these demarcations in the discourse highlight different concerns as to the nature of nuclear policy, how it was created, and what PD-59 will actually accomplish. In the initial hearings the main concern was how to effectively respond to changes in Soviet nuclear doctrine. These initial documents outline the goals of deterrence and focuses on how modifications to strategic doctrine are both consistent with deterrence goals and how they will successfully accomplish these goals in the face of changing Soviet doctrine. The public discourse focused on the reasons that the State Department were denied access to the final discussions concerning PD-59 as well as if it was a drastic change in policy to a warfighting doctrine. These arguments get re-evaluated in the private discussions between State Department and White House members and in the Senate hearings. When these conversations are evaluated using a Habermasian rhetorical methodology they reveal not only the reasoning that goes into each stage, but also reveal how the public sphere interacts with the political sphere, and how that political sphere responds to criticism from the public arena.

Chapter 5, Discursive politics

The fifth chapter will analyze the discourse of deterrence and I observe how the conversation changes between the public sphere and the political sphere based on audience. I have so far reconstructed the discussion that represents the various lifeworld's which constitute PD-59. In this section that discourse will be broken into the validity claims to see what kind of Habermasian good reasons are guiding the construction of PD-59. Each section is identified based on the type of audience which policymakers asked to legitimate PD-59. I compare these claims to the reports sent to the public sphere and through this present a unique understanding of how decisions made in the political sphere are translated to the public sphere. Each claim is supported by certain good reasons which are supposed to justify a particular understanding of the world.

I demarcate the document into discussions that were held within the public sphere from those within the political sphere. This demarcation is based on audience and makes the assumption that each discussion is framed with a different ideal audience in mind. This allows me to compare the values and understandings of what constitutes a valid nuclear weapons policy as seen by a large democratic society to those values and understandings of the policy makers. This section will also introduce the policies which classify secret documents and compare those policies to the normative structure of deliberative democracy. There are three sets of document which are analyzed in this section. The first set of documents are directed to an internal audience of policymakers who were specifically chosen to analyze and modify United States nuclear targeting policy. The second set of documents are newspaper articles which are addressing the larger United States public regarding the Carter Administrations modifications of their nuclear targeting policy. The third set of documents consist of both internal memos and a Senate hearing.

This third set of documents are directed to a larger group of policy makers and address the construction of PD-59 as well as the public presentation of the Carter Administration's nuclear policy.

The first set of documents produce two main themes for the construction of PD-59. First they establish both the main function of a deterrence policy and the moral and ethical goals for deterrence, second they examine the existing conditions of the Soviet Union and United States and produce a policy that is in compliance with the goals of deterrence. The second set of documents cover the public discussion which interrogated the legitimacy of PD-59 for a public audience. This set introduces the concept of procedural legitimacy both from a bureaucratic standpoint as well as from the Habermasian concept of communicative standards. The third set of documents brings these themes together and interrogates the legitimacy of PD-59 in a private setting of a closed Senate committee hearing where policymakers re-interrogate the policy in light of the previous public discussion.

My study's methodology is developed from Habermas's theory of communicative action and deliberative politics (see chapter 2). This methodology is grounded in Habermas's understanding of the three validity claims of truth, sincerity, and normative rightness as well as Habermas's normative assumptions for rational communication. Habermas's claims of truth represent an understanding of the shared objective world and are backed up by evidence that is qualified based on the logic and practices of contemporary scientific standards. Claims of sincerity make reference to the internal world of intentions, and are backed up by making reference to either consistent past behavior or promises of future actions. Normativity makes reference to intersubjective rules which tell us what ought to be done in specific situations. Normativity has three sub groups that are pragmatic claims, ethical claims, and moral claims,

each of which are supported by a different justification about what ought to be done in a particular situation. Pragmatic claims are justified by a means to an end logic, so a particular set of actions are correct if they support an end goal. Ethical claims are claims that are correct if they support “the good life” for an individual or agent. Moral claims are correct if they support some type of universal morality (Habermas, 1984, pp. 15-20).

My methodology develops Habermas’s normative standards for communication into a critical tool which will evaluate a rhetorical text based on presuppositions which become the procedural foundation for reaching an authentic understanding through communication. Habermas argues that this normative criteria are grounded in four presuppositions of rational communication: publicity and inclusiveness, equality of all participants, the lack of deception or illusion, and the absence of coercion (Habermas, 1984, p. 25; 1990a, p. 89; 2002, pp. 106-107; 2008, p. 82).³ Habermas argues that if anyone in the discussion observes a violation in one of these standards then that person or persons may either apply remedies or the outcome of the discourse could be declared invalid (Habermas, 2003, pp. 107-108). The following discussions will be analyzed through this methodology to determine how nuclear policy is regulated through a democratic process. In the final chapter of this dissertation I compare the discourse between the public sphere and the political sphere to see if the political sphere is accurately reflecting the concerns and temperament of the public sphere.

³ Habermas in *Structural Transformation of the Public Sphere* (1991) worked on developing an earlier procedural standard that claimed to offer a procedurally correct method of public participation. This standard occurred prior to Habermas’s linguistic turn in the early 1970’s and focuses on sociological topics of discussion rather than procedures within the communication process itself. There are some similar assumptions between the two forms.

Initial policy discussions on deterrence

PD-59 and the other policy documents reviewed here frequently invokes deterrence each with subtle differences and emphases to highlight various validity claims. This section outlines how policymakers made sense of the philosophical understanding of deterrence and how it applied to the current international and material conditions. Nuclear deterrence policy is a response to the uncertainties of war in a post-RDS-1/Joe-1 age⁴ which is supposed to protect United States interests in the event of hostilities or crisis with another nuclear nation. A Habermasian analysis of these documents reveals that deterrence is guided by moral and ethical positions that become the evaluating principles for the pragmatic policies which guide the United States targeting doctrine. Within these documents there are moral claims which prohibit conditions that would start a nuclear war, ethical claims backed up by the justification that it will support the United States, and pragmatic claims which outline actions the United States ought to engage in to support the ethical and moral principles.

The United States nuclear policy of this time is guided by a belief that the Soviet Union is both prepared to fight a nuclear war and end the conflict with favorable terms (NTPR, 1978, pp. 1-3). That belief was a main reason that the Carter Administration decided the nuclear targeting policy needed to be changed (Senate, 1980, Sept. 16). In these documents the perceived Soviet Union stance that nuclear war could be won is considered to be a violation of the moral foundation of deterrence and is a condition which must be addressed in order to reinforce the moral condition of deterrence. Nuclear deterrence policy is guided by the Moral Claim that *any act or attitude that would start a nuclear war is anathema* (hereafter simply capitalized *Moral*

⁴ RDS-1/Joe-1 is the Soviet/United States name for the first nuclear weapon tested by the Soviet Union.

Claim). Under that condition deterrence can no longer simply communicate the threat of nuclear war but must also communicate to the Soviets that if war broke out that the conflict could not end favorably for the Soviet Union (NTPR, 1978). The Soviet Union's sincerity is questioned as to its desire not to engage in a nuclear conflict. This caused the United States to reevaluate the morals and ethics of deterrence doctrine while re-establishing the normative principle that no one ought to strike first; however in the event of nuclear strike it is advantageous to engage in a nuclear exchange.

The initial documents that created PD-59 place a priority on the ethical claim of securing national interests rather than the Moral Claim while at the same time being careful not to violate the Moral Claim. While all targeting policies must adhere to the idea that they cannot violate the moral foundation of deterrence, from a future perspective the Moral Claim becomes invalid once deterrence fails. Because each policy claim must propose actions that will occur after deterrence fails, the ethical claims become emphasized in the construction of these policies. Deterrence policy as written must address two possible futures at the same time. The first is a future where the policy functions to prevent anyone from using nuclear weapons therefore nuclear weapons are not ever used, the second is a future where deterrence fails and the United States nuclear weapons policy must be utilized to protect the nations interests. To address these futures the Moral Claim justifies the pragmatic posture of deterrence as effectively communicating to the Soviet Union that nuclear war will not produce an advantage for either side while at the same time the ethical claim is used to support the pragmatic implementation of the United States nuclear weapons policy in the event of nuclear conflict.

Due to the unique paradox⁵ of nuclear deterrence the policy decisions must be justified by both moral and ethical claims which, in some ways, are contrary. A single deterrence policy decision has the triple burden of not proposing actions or attitudes which would begin a nuclear war, effectively communicating to the Soviet Union that nuclear hostilities cannot be advantageous to them, and to defend the United States interest if war does occur. This proposes two temporal situations the present and a possible future where war has broken out. Each claim must fulfill, in the present, the moral goal of communicating to the Soviet Union that nuclear hostilities will not be advantageous for them. Additionally each policy decision must assume that the Soviet Union will in some future time violate the Moral Claim and start a nuclear war. Once the Soviet Union has violated the Moral Claim the policy decision needs to support the ethical claim that certain actions will support the United States interests. The paradox is maintained by the fact that a single claim must be supported by two temporal executions, and those executions are each guided by different claims. The recognition of this paradox becomes obvious in how the policy is interrogated by the Senate in the last set of documents.

Deterrence in the documents. The concept of deterrence is outlined in this first set of documents which developed the normative claims that ultimately resulted in the policies outlined in PD-59. The three documents demonstrate an evolution of deterrence during the Carter Administration embodied in the Carter Administration's statements on the nature of deterrence. Each of these documents outlines exactly what they believe are the deterrence objectives for the United States strategic force. Those initial statements help set up the resulting pragmatic strategic objectives.

⁵ Nuclear deterrence policy is commonly understood as a paradoxical situation. The paradox is the fact that preparing for aggression which, if the preparation is successful, will never have to be activated.

PD-18, Nuclear Targeting Policy Review (NTPR), and PD-59 are in agreement regarding the general understanding of the strategic policy objectives for deterrence. Each document has a statement about the purpose of United States strategic force which outlines the general principles of deterrence doctrine. PD-18 argues that the purpose is to deter both nuclear and conventional attacks against the United States and their allies.

The purpose of US strategic forces is to deter a nuclear attack on the United States, upon our forces, our allies and others whose security is important to the United States and, if deterrence fails, to inflict appropriate retaliatory response on the Soviet Union. In conjunction with general purpose and theater nuclear forces, it is the further purpose of our strategic forces to enhance deterrence of non-nuclear aggression against NATO and our Asian allies. (PD-18, 1977, p. 2)

NTPR expands upon this definition by discussing the use of non-nuclear forces in the United States strategic policy.

To deter nuclear attack on the United States; to deter attacks on U.S. forces abroad and on our allies, and to impede coercion by unfriendly nuclear powers of the US, its allies and other friendly nations. Nuclear weapons play a major role in meeting these deterrence objectives, but they are not expected to do this task alone. (NTPR, 1978, p. i)

PD-59 adds language that came from NTPR suggestions which argues that a new key to deterrence is to communicate that “would make a Soviet victory as seen through Soviet eyes, as improbable as we can make it in any contingency” (NTPR, 1978, p. ii). As I mentioned earlier a key claim to NTPR is the idea that the Soviet Union is planning on winning a nuclear war if one occurs which fundamentally changes the United States approach to deterrence from previous

policies. The following section also places negotiation as part of the United States deterrence strategy which implicitly introduces the concept of flexibility into the definition of deterrence.

Our strategic nuclear forces must be able to deter nuclear attacks not only on our own country but also on our forces overseas, as well as on our friends and allies, and to contribute to deterrence of non-nuclear attacks. To continue to deter in an era of strategic nuclear equivalence, it is necessary to have nuclear (as well as conventional) forces such that in considering aggression against our interests any adversary would recognize that no plausible outcome would represent a victory or any plausible definition of victory. To this end and so as to preserve the possibility of bargaining effectively to terminate the war on acceptable terms that are as favorable as practical, if deterrence fails initially, we must be capable of fighting successfully so that the adversary would not achieve his war aims and would suffer costs that are unacceptable, or in any event greater than his gains, from having initiated an attack. (PD-59, 1980, p. 1)

These three paragraphs outline the pragmatic objectives of deterrence strategy and focus the discussion for the remainder of the documents. They are significant in that they demonstrate an evolving understanding of the goals of deterrence based on an ethical approach which secures the United States best interests but also falls into line with the present goals of avoiding a nuclear confrontation.

The evolution of these three different definitional statements of deterrence can be broken into several moral, ethical, and pragmatic normative claims which rest on the ethical claim to protect the United States and its interests while at the same time it doesn't violate the Moral Claim. The primary ethical goal of deterrence is to avoid nuclear attack against the United States. In these statements the goal of protection is expanded from simply United States soil to the

United States allies and interests. The conversation during the Carter administration already places the deterrence of non-nuclear attacks into the United States strategic policy. This defines deterrence as an ethical position which implements present and future military strategy to prevent any aggression against the United States as well as its allies and interests. With the NTPR we see an additional pragmatic element of non-nuclear forces added to the basic deterrence formula.

These three evolutions of deterrence contain several pragmatic claims which are justified because they support the Moral Claim by communicating to the Soviet Union that it isn't in their best interest to engage in hostilities while at the same time supporting the ethical claim of helping protect the United States interests in the event of war. The first pragmatic claim in these documents comes from PD-18 and identifies that the United States strategic force will be used to protect the United States interests (1977, p. 2). The second pragmatic claim is the addition of non-nuclear forces with the NTPR definition of deterrence (1978, p. i). PD-59 adds several pragmatic strategies for maintaining the ethical claims. PD-59 maintains the claim of NTPR that both nuclear and conventional forces are needed to support the view that any aggression would not result in any "plausible definition of victory" (1980, p. 1). It also introduces the advantages of a warfighting stance when it comes to deterrence as being the ability to maintain bargaining and keep both sides from having to recover from an all-out exchange (1980, p. 1).

Deterrence is seen through these documents as a pragmatic policy used primarily to support the United States interests. The goal of this section of my study is to show how Habermas's schema can make sense of a real world situation and how a moral understanding of nuclear war guided the United States nuclear policy. These normative claims are important for all three sets of documents because policymaker's decisions are supposed to reflect the

normative assumptions of the public. Since the public sphere isn't directly involved in these policy decisions one method to gauge effective reflection is to see how the normative structure of deterrence guides the policymaker's decisions and if that normative structure is reflected in the public discussion. One element that Habermas doesn't explicitly discuss, but is implied due to other parts of his theory, is the fact that any normative claim can have one or more types of normative claims used for justification. A claim may have an explicit moral statement but could also be backed up by ethical or pragmatic reasons. The comparison between the political sphere and the public sphere will occur in the final chapter.

Normative claims. In these documents the United States nuclear deterrence policy is grounded in the moral understanding that any act or attitude which would start a nuclear war is anathema; ethical understanding that the purpose of deterrence is to prevent a nuclear conflict against the United States, the United States allies, and the United States' interests using both nuclear as well as conventional military forces; and pragmatic claims which support both communicating to the Soviet Union that nuclear war cannot be won and to protect the United States in case of Soviet hostilities.

Nuclear deterrence is guided by the Moral Claim that *any act or attitude that would start a nuclear war is anathema*. This claim manifests in these documents by calling for nuclear stability. This claim includes the call to limit the arms race, the condemnation of the Soviet attitude that they might win a nuclear war, and the reinforcement of the policy of no first strike. The common theme in each of these claims is that while they each are supported by other validity claims each of them are seen as absolute states which should not be crossed in order to maintain deterrence. When they are read together establishes the Moral Claim. The Moral Claim supports the pragmatic argument that the United States deterrence policy must effectively

communicate to the Soviet Union that nuclear war cannot be won. The remainder of the United States nuclear weapons policy is justified by the ethical claim that it will protect the United States, its allies and interests. All policies must maintain a contradiction in which the policies maintain the Moral Claim but in the process assume a possible state of affairs where the Soviet Union already violated the Moral Claim somehow and aggression has begun. Under the conditions that deterrence has failed the actual nuclear policy must protect the United States interests first and foremost.

The following documents demonstrate that the United States nuclear weapons policy is specifically guided by the ethical notion of protecting the United States interests. That ethical statement justifies the pragmatic claims of how the United States resources ought to be used to support those interests. The Moral Claim justifies and guides deterrence policy in that the policy itself needs to communicate to the Soviet Union specifically the futile nature of nuclear hostilities, otherwise the Moral Claim serves to identify violations which ought to be avoided in their own right. The targeting policy itself is guided and evaluated by ethical claims.

In these documents the threat of nuclear war is ultimately managed through a posture of nuclear stability which operates as a practical extension of the overarching Moral Claim for deterrence, the ethical claim of supporting United States interests in the event of hostilities, as well as a pragmatic posture. Nuclear stability is defined as a balance of power between the United States and its allies on the one hand and the Soviet Union and its allies on the other hand (PD-18, 1977, p. 2). This stability will be maintained through the idea of essential equivalence which “require that advantages in strategic force characteristics enjoyed by the Soviet Union must be offset by United States advantages in strategic forces” (p. 2). In the event of a crisis (crisis in these documents remains undefined and ambiguous) nuclear stability is seen as the best

way to operate as a nuclear nation regardless of affiliation or interests (p. 2) thus it becomes a moral claim. It is a moral claim because nuclear stability is seen as what ought to be done by both nations regardless of whether or not there is conflict. It is also a pragmatic claim because the posture is presented as useful in the case of conflict and supports not starting a nuclear conflict. This is also a pragmatic posture because in the event of conflict or crisis it has the greatest chance of maintaining stability.

United States nuclear doctrine is also managed under the moral claim that the United States will not to engage in a first strike even when it would be advantageous to engage in a first strike (later in the Senate hearings Secretary of State Edmund Muskie confirms that The United States does not have the capability to launch a successful first strike without the threat of retaliation). At the heart of the ethical claim is the assurance that if the United States launched a first strike the Soviet Union would most likely engage in a retaliatory nuclear strike. PD-18 states that “the United States will not seek a capability for a disarming first strategic nuclear strike against Soviet strategic forces so long as the Soviet Union does not do so against us” (PD-18, 1977, p. 2). This conversation occurs in the same section that sets up The United States principle of essential equivalence. The United States will not engage in a first strike and will not offer the perception that they are going to engage in a first strike provided they aren’t forced to in order to maintain the balance of forces by essential equivalence. The United States will match the Soviet Union’s capability and intention but be sure not to posture into a first strike capability. This same principle of no first strike is reinforced, although not directly referenced, in the NTPR in two places: once when discussing how United States policy should be presented to the Soviet Union (NTPR, 1978, p. ii), and when NTPR discusses Quick Reaction Hard Target Capability

(QRHTC)⁶ (NTPR, 1978, pp. v-vi). The first part occurs under the heading of *major findings: Deterrence* and in that section every United States aggression is positioned as a response to Soviet actions. In that section regarding nuclear attacks against hard targets strikes are assumed to be launched under attack and there is no discussion about a possible first strike against the Soviet Union hard targets even though there are several points where Soviet awareness of a strike complicates the United States military objectives (NTPR, 1978, pp. v-vi). This complication implies that a first strike would hit the most counterforce targets⁷; however those strikes are not guaranteed to be successful due to the fact that they were considered hard targets.

The principle of no first strike is part of the Moral Claim that prohibits attitudes and actions which may start a nuclear war and is also an ethical claim in which striking first would open the United States up to a counterattack. No first strike becomes a moral principle because the guiding assumption within each of these documents is that deterrence is maintained by making striking first anathema for either side. The United States avoids launching a first strike because of Soviet retaliatory capabilities and because a first strike posture may provoke the Soviet Union into a first strike posture and vice versa.

While PD-18 and NTPR both reinforce the idea that a first strike is not advantageous for the United States, PD-59 complicates this notion with one line of text which unlocks a debate regarding the nature of launching nuclear weapons.

⁶ Hard Targets are targets that have been reinforced against nuclear attack because it is likely that in a nuclear war these targets will be hit with nuclear weapons. They are usually military targets that are necessary for a nuclear war.

⁷ Counterforce targets are targets that are directly part of the military structure. They are juxtaposed to countervalue targets which are industrial and civilian targets.

While it will remain our policy not to rely on launching nuclear weapons on warning [⁸] that an attack has begun, appropriate pre-planning, especially for ICBMs [⁹] that are vulnerable to a preemptive attack, will be undertaken to provide the President the option of so launching. (PD-59, 1980, p. 2).

This sentence offers the possibility that, if the president believes an attack has begun, he will be given the option to use nuclear weapons before a strike is confirmed by a destination. This offers a conversation regarding both the morality of launching a nuclear weapons as well as a claim of truth.

The above section from PD-59 makes a statement regarding the morality of launching nuclear weapons versus the practicality of utilizing them in a practical manner. A first strike is defined as a first attack using nuclear weapons and, as shown above, these documents make the moral claim that a first strike is never acceptable in any circumstances. This section makes reference to a *launch on warning* which would authorize a strike if there was reasonable certainty that an attack was imminent. There is a third launching scenario called *first use*. First use is the decision to respond to conventional aggression with nuclear weapons. PD-59 opens up the possibility for both a launch on warning and is notably ambiguous about first use. This debate gets readdressed in the Senate hearings below.

Through a Habermasian lens the debate over first strike/launch on warning/first use centers around the idea of what makes a first strike a moral claim as well as the truth claim as to

⁸ Launch on warning is a military strategy where a retaliatory strike is launched once a nuclear attack is detected, but before the nuclear attack has been confirmed by actual detonations. This strategy was developed to deal with the possibility that a first strike could take out the nuclear capabilities of another nation.

⁹ ICBM is Inter Continental Ballistic Missiles. Ballistic missiles that are designed for targets that are a minimum of 3400 miles away.

what counts as reasonable evidence for a nuclear attack. A first strike is never acceptable because it will initiate a nuclear war. It is acceptable to initiate threats and respond to an attack, but it is not acceptable to engage in nuclear strikes without proof that there is a nuclear attack in process. The truth claim present in this claim is the question of how to prove that a nuclear attack is underway. There is no prohibition of nuclear retaliation, but it becomes unclear as to what level of evidence is necessary to authorize a counterattack? This question is further interrogated in the Senate hearings.

The claim that nuclear war can never be won becomes conventional wisdom which is the foundation of deterrence and one condition that separates nuclear war from conventional warfare. This conventional wisdom is grounded in the Moral Claim that makes attitudes that could lead to nuclear war anathema. In this case the attitude that nuclear war can be won is considered an attitude that could lead to nuclear war. Later in the Senate hearings this point is brought up and interrogated, but here I recognize that one main reason that the idea of nuclear war leading to a winnable option is contestable is that it also undermines the idea of no first strike and the foundation of deterrence.

In these documents there is a discussion over damage-limiting objectives which highlight a major tension in deterrence policy and the significant change that PD-59 instilled in the existing nuclear deployment plan. Damage limiting objectives refers to policies which came from McNamara's no-city option, as well as Schlesinger's policies to target specific strategic targets with an appropriate yield which would ultimately limit the collateral damage (see Freedman, 2003, pp. 215-232, 360-365 for McNamara and Schlesinger's arguments for city avoidance). The NTPR outlines two conflicting positions regarding damage limiting objectives and weights out each strength and weakness. This is the only time in these sets of documents

where two contrary positions are placed side by side without a resolution in place. The conflict occurs around the possible violations of the Moral Claim versus a position that would possibly better support the United States interests.

The discussion of damage limiting objectives occurs in the general war plans section of NTPR. This section shows that there is a moral/ethical tension which gets developed as to how best deploy the United States nuclear plans. In this case the debate over damage limiting objectives becomes a normative ethical claim because rather than a means to an end the question is what is in the United States best interest; versus the moral claim that damage limiting objectives could violate the Moral Claim and stimulate the arms race. The first stance argues that pursuing damage limiting objectives should be deprioritized because nuclear war cannot be controlled and therefore pragmatically it is not sound (it will not achieve the end it seeks). This argument states that damaging limiting objectives will result in two major situations: that it that it will result in arms companion that diverts resources from more promising objectives (not defined here), and would not improve the U.S. security situation. The reader will recall that stimulating an arms race is considered an act which could lead to nuclear war. The opposing view sees the fact that it is an ethical priority to protect the United States and its citizens. In case deterrence fails

given the uncertainties of nuclear war, and the wide range of possible scenarios, there might well be situations where the capability to reduce damage by perhaps tens of millions of American lives would be far from futile. This view also stresses the potential effects on deterrence and crisis management in situations short of nuclear war if the U.S. society were to become far more vulnerable than the Soviet Union. (NTPR, 1978, p. v).

This section proposes that the United States is placed into a dilemma due to the uncertainty of nuclear war. Either the United States invests into the chance of saving the lives of tens of thousands United States citizens or that money is spent on increasing security measures.

NTPR frames the tension regarding damage limiting objectives as a debate between two uncertain futures: one where the damage limiting objective policies cannot control the nature of nuclear war but also helps accelerate nuclear tensions thus violating the Moral Claim, the other side argued that the uncertain nature of nuclear war makes damage limiting objectives a feasible option in some scenarios and would limit civilian casualties if deterrence fails. In this tension one side is employing the pragmatic argument that damage limiting objectives will not succeed in limiting the damage the United States receives from a large scale nuclear attack. This side makes the moral claim that policies associated with damage limiting objectives will increase the arms race instead of protecting United States countervalue targets (stimulating the arms race is seen as an act which could lead to nuclear war). This is presented as a moral claim in that preventing an arms race is applied to both sides regardless of sides or interests. This moral claim is supported by the ethical claim that the arms race and subsequent lack of protection will happen without focusing on adequately increasing the security potential of the United States, and the pragmatic claim that this will happen while taking away from more successful objectives. The second side is making the pragmatic argument that damage limiting objectives could be useful due to the uncertainty of war, and that there is the further ethical claim that the United States has a need to protect its citizens from nuclear war. Later, in the Soviet response to PD-59 found in the public documents, the Soviet Union restates the concern that limited nuclear strikes will stimulate an arms race and thus violate the Moral Claim.

The resolution of this debate is that PD-59 modifies the targeting policy to include limited nuclear strikes explicitly in the sections on *Pre-planned options, Flexibility* (PD-59, 1980, p. 2), as well as the section on *Targeting categories* (p. 3). While PD-59 does not replace the existing SIOP plan it does expand the number of targets according to a variety of different scenarios. PD-59 explicitly states that all nuclear targeting will only be used in retaliation. In the Senate hearings there is a debate as to whether limited nuclear strikes will fulfill the moral objective of effectively preventing a nuclear strike, but in these documents the decision to implement limited strikes is justified in order to support the ethical goals of the United States with one exception. The section on targeting categories instructs that targets need to be chosen to limit collateral damage to civilian targets (pp. 3-4). This statement occurs as a stand-alone statement without any justification.

The instructions to limit civilian collateral damage in the limited strikes is unique and inconsistent with previous SIOP plans which focused on urban-industrial targets as a main form of deterrence. No justification for this instruction is given in the documents so we can assume that the philosophy of limited nuclear strikes are to disable military strikes and not civilian targets. One could read a moral claim in these instructions which is uniquely contrary to the philosophy of city strikes. In this case I am choosing to read this as the implementation of McNamara's "No Cities" philosophy (Freedman, 2003, pp. 223-224) rather than an outright moral challenge against civilian targets in SIOP. I am making this decision since these instructions are exclusively for limited first round of attacks against military targets and there isn't any indication that SIOP needs to change to limit collateral damage against civilians. A key point of McNamara's philosophy was that the initial attack ought to disable the Soviet Union's military capability rather than devastate its population (p. 224).

Habermas's theory of deliberative politics theorizes that the political sphere is responsible for reflecting the public's moral temperament in the policies they produce (Habermas, 1996). The policies produced by these three documents reflect a deliberative process that occurred among policy makers of the United States. From a Habermasian perspective these normative observations become the foundation of the deliberative environment. In order to maintain a deliberative environment the political sphere has certain standards for deliberation which must be maintained and produce a procedural process to evaluate policy. Once the details of the document were leaked the legitimacy of PD-59 was debated in the public sphere. One of the debatable points is found in NTPR where the authors feared that pushing for limited nuclear objectives would push the United States into an arms race. The second debate occurred around the idea of procedural legitimacy. Muskie pointed out that he had been left out of the deliberative process which caused a debate over the procedural legitimacy of PD-59. These two attacks shaped the further political discussion which occurred after the production of PD-59

Public leak

This section moves the conversation regarding PD-59 outside the political realm and into the public realm. The audience for these documents are not restricted and explicitly include the Soviet Union policymakers, the United States public, and the United States policymakers. These conversations are not restricted by security classifications. These documents continue the debate over the nature of PD-59 and if it will deter the Soviet Union but also engage in a debate on if PD-59 was procedurally legitimate. This section shows that one factor which is important for the creation of public policy is not only if it went through proper bureaucratic procedures but if it also maintains Habermas's ideals of open participation by all qualified members. In both this and the following section the Carter Administration frequently makes the statement that the policies

were procedurally legitimate from a historical standpoint while the State Department insists that they should have had greater access to the discussion regardless of bureaucratic precedent.

Breaking the story. On July 27, 1980 William Beecher of the Boston Globe broke the story that “the Carter Administration is developing a modified nuclear war strategy aimed at convincing the Soviet Union it would have much more to lose than gain in attempting a major attack” (Beecher, 1980, July 28, p. 1). The Carter Administration found out that Richard Burt was planning on offering an elaboration of Beecher’s article. The Carter Administration chose to hold a private briefing with Burt as well as Michael Getler in order to present the public with their take on PD-59. The contents of PD-59 were leaked to the *New York Times* and *Washington Post* on Aug 5, 1980 and published the following day. These first three public reports of PD-59 manage to shape the rest of the discourse within the public realm.

The initial reports show that it was really the pragmatic arguments in the documents which the Carter Administration chose to emphasize in their briefings. These arguments offered the public insight into the targeting changes and reasons for them but not offering any real discussion of the ethical or moral guidance of those policies. Both the reports do not discuss deterrence itself but rather the changes in the policies. The following weeks produced several discussions as to the legitimacy of PD-59 each of which was framed for a public audience. While these arguments help to frame PD-59 for a public audience for the purpose of this study the response becomes the more significant finding from these documents.

Beecher’s breaking story focused on pragmatic arguments that the changes in policy were justified because the new policy would convince “the Soviet Union it would have much more to lose than gain in attempting a major attack” (Beecher, 1980, July 27, p. 1) and also calls into question the sincerity of the Soviet Union when it comes to previous forms of deterrence. The

first claim is simply an overarching claim which permeates the article. It shows up in statements about how the new targeting doctrine will create target sets (special pre-set bundles of targets) which will cause the Soviet officials to be “faced with the loss of all he holds dear” (Beecher, 1980, July 27, p. 12). These targets include underground shelters for the leadership, strategic targets used to wage a war, factories, and military units (pp. 12-13). This article makes the pragmatic argument that by changing nuclear targeting to include these military targets that the leadership itself will feel its power threatened (p. 12), therefore these changes support deterrence.

The sincerity claim is the most emphasized throughout this document and makes the statement that the Soviet Union were engaging in actions that demonstrate they were prepared to break deterrence. After Beecher describes city striking doctrine he writes “but the Russians have never accepted this doctrine. Their literature and their force design aim at achieving victory, by non-nuclear military means if possible or by nuclear war if necessary” (Beecher, 1980, July 27, p. 12). Beecher then backs up this sincerity claim using past behavior to demonstrate that the Soviet Union was in fact prepared to win a nuclear exchange.

So, while the United States for years did not design its missile warheads to be large and accurate enough to threaten hardened Soviet Missile silos, the Russians have taken the opposite tact. And, while the United States decided not to make more than a token Civil-Defense effort, the Russians have been building a massive system, particularly to protect their political leadership, their military commanders, their key industries, and, lastly, the population in general. (Beecher, 1980, July 27, p. 12)

This statement shows a dichotomy within the sincerity claim. Habermas states that sincerity is backed up through referencing consistent action, past actions or promise of future actions to either prove or challenge the sincerity of another. Those actions are assumed to prove

consistency between the claims made and actions taken. In this case the actions taken are compared to another's set of actions by providing two overt sincerity claims which ride on each other. The overt statement is that the Soviet Union wasn't being deterred by the city strike form of deterrence because they were preparing for a nuclear war. This claim is backed up by the statement that the United States was operating within a deterred posture and the United States wasn't taking the same preparatory actions as the Soviet Union. The actions of the Soviet Union were contrasted to the actions of the United States in such a way that demonstrates that the Soviet Union was planning to break deterrence based on a second sincerity claim by the United States. So Beecher's breaking report demonstrates that one reason the United States assumed that the Soviet Union was preparing to win a nuclear war was because they were reacting to deterrence policy differently from the United States. The idea that the Soviet Union was planning to win nuclear war was the reason that Carter decided to change his nuclear weapons policy.

Gelter's Washington Post article places an emphasis on claims of truth within nuclear strategy. The overarching focus becomes the capabilities of nuclear weapons and its effects on nuclear policy. The Post's narrative was that nuclear weapons are becoming more accurate and therefore this new policy, which has been needed for at last six years, is now an eventual possibility. The document also repeats the same type of sincerity claims that Beecher stated earlier. Gelter argued that due to their massive nuclear stockpile the Soviet Union would be prepared to win a nuclear war, and therefore this new policy would convince the Soviet Union that this wasn't possible. A second sincerity claim comes out in what Carter's motivation was for signing this policy whether it was for political reasons or due to an actual active interest in nuclear policy. This claim is reinforced by the references to existing conversations to change policy in this direction. Underlying this whole policy is the normative claim that deterrence is

possible without necessarily targeting populated cities to win a war early by convincing the Soviets that they would not be able to “win” a war.

The New York Times article was largely making claims to sincerity framing the entire process as a debate between actors who are not necessarily working for strictly military aims. This is reinforced by the suggestion that the current SIOP program was sufficient for President Carter up until 1979, at which point National Security Advisor Zbigniew Brzezinski and Secretary of Defense Harold Brown’s secondary ongoing discussion took priority possibly due to the upcoming presidential election. Additional claims to sincerity are made regarding the Soviet Union. The New York Times states that the main focus of PD-59 is to assert that the “best way to prevent a major conflict with Moscow is to be capable of waging a prolonged but limited nuclear war” and that attacking military forces and intelligence would be striking at “the targets the Soviet leadership values most” (Burt, 1980, p. A1). Additionally there is the claim that if limited nuclear war is authorized then both the United States and Soviet Union would be unable to resist using nuclear weapons. These moves are supposed to deter the Soviet Union in acts of aggression. There are claims of truth which discuss the limitations of the current nuclear arsenal and steps to improve upon them. Nuclear weapons are the targets of Soviet strikes and therefore the MX rocket is a necessary component in the new system. Additionally the intelligence community needs improvements to destroy new targets once the war has begun. Normativity becomes invoked directly in the arguments regarding the difference between M.A.D. and limited nuclear war and indirectly in the arguments regarding the motivations of President Carter in signing the document. The M.A.D. advocates argue that targeting cities is better due to the fact that in that case no one would use nuclear weapons, while the limited nuclear war advocates argue that planning for a limited strike is better than only having the possibility of an all-out

nuclear attack. The morality of changing the policy also comes into question, with an implied argument that nuclear war is being risked for political gains.

Two significant counterarguments to these initial reports stand out: First, that PD-59 was not concerned with deterrence but would rather accelerate the arms race and justify nuclear war against the Soviet Union. Second, that the policy itself was not procedurally legitimate because The State Department and Secretary of State Edmund Muskie specifically had not participated in drafting PD-59. The reader will recall that the argument that limited nuclear strikes could accelerate the arms race was discussed in the NTPR. This argument becomes a concern in both the public hearings as well as the Senate hearing. The second argument that Muskie and The State Department were left out of the process becomes significant both in terms of continued coverage by the newspapers and becomes a driving force in the subsequent discussion held by policymakers. Both of these arguments point to the ways that arguments are framed for legitimation in the public sphere.

... **“If deterrence fails”**... (Burt, 1980, Aug. 10, p. A1). NTPR pointed out that there was a debate concerning what the effects of limited nuclear objectives. One side believed that it would result in weakening the security of the United States and stimulate the arms race, while another side believed that implementing limited nuclear objectives would produce situations which could save the lives of United States citizens. PD-59 took the position to endorse limited nuclear objectives. The leak of PD-59 stimulated this debate and prompted questions of whether this new policy signals that the United States desires nuclear war. In the newspapers this argument takes the form of a sincerity claim and an argument against the presupposition that actors have to mean what they say. The specifics of this argument deal with one of the biggest

problems with deterrence philosophy which is how to effectively communicate a willingness to act but only under specific conditions.

In introducing PD-59 both newspapers contrast the new policy with the earlier focus on M.A.D. Specifically they both mention that PD-59 move away from countervalue targets to counterforce targets.

The new strategy involves placing less emphasis on all-out retaliation against Soviet cities in the event of a Russian attack. Instead, there would be greater emphasis on destroying Soviet military forces and both political and military command centers early in a conflict in hopes of convincing Moscow that it could not ultimately “win” a war. (Getler, 1980, Aug. 6, p. 1)

The Carter Administration has adopted a new strategy for nuclear war that gives priority to attacking military targets in the Soviet Union rather than to destroying cities and industrial targets, Government officials said today. The revised policy, the officials said, requires American forces to be able to undertake precise, limited nuclear strikes against military facilities in the Soviet Union, including missile bases and troop concentrations. They said it also calls for the United States to develop the capacity to threaten Soviet political leaders in their underground shelters in time of war. (Burt, 1980, Aug. 6, p. 1).

This framing of LNO explains that it will directly threaten military leaders and installations and thereby effectively deter Soviet leaders. The subsequent discussion mirrors the concerns that were brought up in NTPR which argue that LNO would appear to be a nuclear warfighting stance and would accelerate the arms race.

The first argument that PD-59 would actually stimulate the arms race appears in the United States press as a response to PD-59 by Boris Brezhnev [sic, I believe the actual name

was Orekhov and will be using that name hereafter] who was an international affairs writer for the Soviet newspaper *Pravda* (Austin, 1980, Aug. 8, p. A6). The *Pravda* piece was published on Aug. 7, 1980 and reported on by *The New York Times* on Aug. 8, 1980. Orekhov argues that this new shift in policy is a “threat of a first strike against military objectives in the Soviet union” which is a “flare-up of war psychosis in Washington [that] can only be explained by a loss of common sense, a weakening of the sense of reality” (Austin, 1980, Aug. 8. p. A6). While PD-59 is framed by the Carter Administration and previous press reports as preventing conflicts Orekhov states that its real purpose is to stimulate the arms race (p. A6). *Pravda* makes this sincerity claim through a presentation of contradiction within the official language of PD-59. *The New York Times* reported “It was ‘strange’ the *Pravda* commentary continued, to see the new strategy coupling the concepts of ‘prolonged’ and ‘limited’ nuclear war- ‘a combination,’ it said, ‘that should give rise to bewildering questions’” (Austin, 1980, Aug. 8). This contradiction is coupled with a further question on the sincerity of the authors themselves.

Pravda also points to the fact that “both The State Department and the Arms Control and Disarmament Agency had been excluded” from PD-59’s preparation to question the sincerity of this policy. Below I analyze how a procedural deligitimation becomes significant in these documents but here I am highlighting how this passage couples with a sincerity claim by pointing to the fact that PD-59 was authored by Brzezinski and Brown without The State Department or the Arms Control and Disarmament Agency. The implication here is that The State Department and Arms Control and Disarmament Agency have engaged in past behavior which signifies that they are against stimulating the arms race but Brzezinski and Brown did not have a similar background. *Pravda* doesn’t specifically point out why The State Department and Arms Control and Disarmament Agency are trusted and Brzezinski and Brown aren’t, however

several events at this time point to why this is an attack on sincerity. Among other possible events The State Department was instrumental in the SALT II treaties which demonstrated their commitment to arms control. Brzezinski was seen as a war hawk and therefore more likely to want to stimulate an arms race that would engage in nuclear blackmail rather than deterrence. In this statement *Pravda* is challenging the sincerity that this policy is to prevent nuclear war rather than stimulating the arms race by pointing out that the people who have historically negotiated arms limitations were not involved in the final preparations, and that the people who were involved are war hawks.

NATO was also concerned about what PD-59 meant for international policy. On Aug. 11, 1980 *The New York Times* reported that NATO leaders were concerned with a new nuclear policy and its effects upon tensions between NATO and Moscow. The big concern was that PD-59 marked a sudden break from previous nuclear policies; an argument that mirrored The Soviet Union's concerns. One reason for this concern was the fact that PD-59 was released publically prior to announcing it through the usual channels. Brown pointed out that he had addressed the defense ministers of NATO to let them know that PD-59 was not a new policy prior to the public release and that it did not indicate that the United States wanted to fight a nuclear war (Burt, 1980, Aug. 11, pp. A1, A9). In this article Brown argued that the policy itself was supposed to be released publically but the press leak caught the administration off guard (p. A9); however Brown did brief NATO leaders on the outline of the strategy in June (p. A9) "American officials present at the meeting said that Mr. Brown briefly described the 'countervailing strategy' and was asked few questions about the policy" (p. A9). Brown explained that the new strategy was to deal with a large range of aggressions rather than to actually fight a nuclear war. Brown argues

“we have no desire to fight a nuclear war; it would be an unimaginable catastrophe.”

“But the surest way to avoid such a war,” Mr. Brown adds in the message, “is to make certain that the Soviet leadership can have no illusions about what such a war would mean for Soviet state power.” (p. A9).

On Aug. 12, 1980 TASS, the official news agency of the Soviet Union, issued a statement on PD-59 which was reported on by *The Washington Post*. This statement argued that the new policy is in fact “the threat of striking a first blow at military installations in the Soviet Union” (Doder, 1980, Aug. 12, p. A2). *The Washington Post* reports that this new strategy would replace MAD doctrine of an all-out strike on Soviet cities to smaller attacks on Soviet military forces and command centers (A2). TASS argued that the new plan was

“an obvious and extremely dangerous playing with fire.” Another TASS commentary said that as a result “the Soviet Union will have to draw the necessary conclusions.” One conclusion, TASS said, is the concept of “limited nuclear war” Carter has advanced will inevitably lead to an accelerated arms buildup. “It would be naïve to think that the Soviet Union will stand idle while the Nuclear weapons are being perfected” in the United States, TASS said. But a broader conclusion implicit in attacks on “the insane steps of the Carter administration,” TASS said, is that they may have a lasting negative impact both on arms control efforts and on Soviet-American relations in general. (Doder, 1980, Aug. 12, p. A2)

This article points out that the changes to nuclear policy have occurred after SALT I and II. *The Washington Post* quotes TASS which attacks the sincerity of the United States generally and President Carter specifically

All these actions are sanctioned by the president of the United States, the very president who signed in Vienna a year ago the Soviet-American communique that stressed that there is no task at present more important and urgent for mankind than that of ending the arms race and preventing war. It must be said that only rabid militarists who have lost all touch with reality and are prepared to push the world into the abyss of nuclear holocaust for the sake of implementing their imperial strivings can conceive and sanction such plans now. (p. A2)

It is unclear in this document if “imperial strivings” refers to President Carter’s impending election or to United States war policies in general. *The Washington Post* points out that TASS didn’t make any references to “Moscow’s invasion of Afghanistan or to Carter’s stated reasons for his policy shifts toward the Soviet Union” (p. A2).

These arguments challenge the sincerity of the United States claims that PD-59 isn’t intended as a first strike policy and reinforces the Moral Claim for a public audience. They also continue a conversation regarding the intentions of a limited nuclear strike policy. In these documents the policy itself is shown as proof that the United States is planning on attacking the Soviet Union with a first strike. These claims return in the Senate hearings and are further explored in the conclusion of this study.

Procedural legitimacy. In the public discussion there is a debate over the procedural legitimacy of PD-59 based on the fact that Secretary of State Muskie was excluded from the proceedings. This argument interrogates the idea of bureaucratic procedural legitimacy and contrasts it with what appears to be Habermas’s theory of procedural legitimacy. Habermas makes the specific theoretical claim is that everyone who could make a reasonable contribution to the discussion has been included (Habermas, 1984, p. 25; 1990a, p. 89; 2002, pp. 106-107;

2008, p. 82); if there appears to be an obvious violation of this standard then the discussion could be considered invalid (Habermas, 2003, p. 108). This idea of procedural legitimacy is at the foundation of communication to reach understanding and Habermas assumes it is a standard which is instinctively held by all communicating participants. The public debate interrogated the process by which Carters nuclear strategy had been constructed. There were two main concerns: first if PD-59 was an evolved form of the previous nuclear policy or if it was a radical break from previous policies, and second if PD-59 had been properly discussed by all the pertinent individuals.

The day after Burt and Gelter's initial reports, the *New York Times* published an article that outlined how United States nuclear policy has moved away from attacking Soviet cities and toward attacking Soviet military and industrial sites over the course of the last decade (Burt, 1980, Aug. 6). This article discusses how Carter changed his position away from the assumption that any nuclear war would necessarily result in all-out mutual destruction to a limited nuclear war position. This change in Carters attitude was made possible by a changing technological capabilities but had been under discussion since the early 1970's. Over the course of the debate over the procedural legitimacy of PD-59 several articles produced a timeline for the nuclear policy (ex: Burt, 1980, Aug. 7; 1980, Aug. 13; 1980, Aug. 14). These timelines demonstrate that PD-59 was not a radical shift in policy, but rather an evolutionary policy stemming from previous discussions. The Carter administration later adopts the phrase *evolutionary* when describing the policy to emphasize the idea that PD-59 evolved from previous policies as a response to changing conditions (Bartholomew, 1980, Sept. 5).

Under the heading "debate received little attention" *The New York Times* makes a clear claim that this shift in policy is procedurally legitimate (Burt, 1980, Aug. 7, p. A3). It argues

that the reason the public has been unaware of the debate that had taken place in the refinement of the United States nuclear policy and limited nuclear options was because “it is conducted for the most part in esoteric terms among a small cluster of scientists, academicians and Government specialists who have dealt with sensitive strategic issues since the late 1940’s” (p. A3). This article traces the discussion on limited nuclear strikes back to Schlesinger’s “selective strategic options” policy and makes the pragmatic argument that changes in the technological and international landscape had made city strikes a less desirable option (p. A3). This discussion is significant because it is an attempt to give procedural legitimacy to President Carter’s new nuclear policy. It makes the claim that changes to deterrence policy have been discussed for a significant period of time and that discussion involved people who could make a relevant contribution.

On Aug. 7 1980, the Soviet newspaper Pravda called the procedural legitimacy of PD-59 into question from the idea that while the policy may be historically legitimate certain necessary parties were not allowed to participate. The statement, made by one of Pravda’s international affairs writers Boris Orekhov, was reported on by *The New York Times* and claims that PD-59 is an attempt by specific members of the United States government to stimulate the arms race (Austin, 1980, Aug. 7, p. A6). *The New York Times* gives the following summary on the Pravda position

It was significant, the paper added, that both The State Department and the Arms Control and Disarmament Agency had been excluded from the preparation of what it called a “strategy of nuclear adventurism” and that its authors included “those familiar faces,” Zbigniew Brzezinski, the White House national security adviser, and Defense Secretary Harold Brown. (Austin, 1980, Aug. 7, p. A6)

The argument is that PD-59 is not legitimate as a national nuclear policy because it has specifically excluded certain members of the United States government who should have a say in United States nuclear policy. This accusation is the second time in print that it was pointed out certain members of government were not included in the discussion, the first time the accusation was in Burt's initial report of PD-59 (Burt, 1980, Aug. 6).

On Aug. 10, 1980 Secretary of State Edmund Muskie came out and revealed that he had been denied access to any discussions of PD-59 and that "a matter with such important foreign-policy implications should have been discussed with him before the President acted" (Gwertzman, 1980, Aug. 10, p. 1). The newspaper article is titled "Muskie wasn't told of new war policy before it was set" (Gwertzman, 1980, Aug. 10, p.1) and is the beginning of a narrative which occurs in the newspapers which ended with Brown sending Slocombe on a special trip to brief Muskie on PD-59 (Gwertzman, 1980, Aug. 12). In defense of the accusation that Muskie should have been included an aid to Brown stated that The State Department had "participated in the discussion on the policy between November 1978 and May 1979" and that Muskie had only become Secretary of State after that time (Gwertzman, 1980, Aug. 9, p.1). In his statements Muskie made sure that his "complaints were not so much over the policy as over being frozen out of discussions of it" (p. 1). The narrative in this article moves from a criticism of PD-59, to a criticism of the "policymaking machinery of the Carter Administration" (Gwertzman, 1980, Aug 9, p. 1). In public The State Department was actually careful not to criticize the policy itself publically instead they specifically criticize the Carter Administration's procedures for creating policies specifically.

The essence of this second criticism moves from a procedural complaint to a complaint of coercion. Habermas argues that in order for a decision to be considered legitimate the argument

must be free from restrictions “that prevent the better argument from being raised or from determining the outcome of the discussion” (Habermas, 2002, pp. 106-107; see also: 1984, p. 25; 1990a, p. 89; 2008, p. 82). Muskie argues that his experience with the Carter Administration’s approach to policy making “inadequate time is given to discussions of critical foreign and security issues by the President and his top advisors” (Gwertzman, 1980, Aug. 9, p. 1). Even during the “M-B-B” luncheon between Muskie, Brown, and Brzezinski Muskie states that there is an agenda which “often had up to 25 items to be discussed and decided upon during an hour or two, which [Muskie] said this was not enough time for serious debate” (p. 1). This accusation is particularly pertinent in this case since PD-59 was supposed to be introduced to Muskie by Brown on Aug. 6 at the M-B-B luncheon (Odom, 1980). This fact is under dispute in the documents. Brzezinski argued that Brown brought it up at the meeting and let Muskie know that he would receive a copy of the directive (Brzezinski, 1980, Aug. 22, p. 2). Muskie either didn’t recall that event or didn’t understand that Brown was discussing an already signed presidential directive (Brzezinski, 1980, Aug. 22, p. 2; Cutler, 1980, Sept. 4, p. 5). This second criticism of coercion within the very structure comes up later in the newspaper articles.

The Carter Administration continued to defend the procedural legitimacy of PD-59 by pointing out that although Muskie was not informed of the policy, The State Department had participated in the policies contained in PD-59. This argument continues throughout the public debate and into the subsequent classified discussion held behind closed doors. The Pentagon, as reported in *The New York Times*, responded to Muskie’s “concern over not being informed of the strategic shift by reporting that it had been discussed extensively within the Government for more than two years” (Burt, 1980, Aug. 11, p. A9).

[The unnamed Defense Department officials] said that ranking State Department officials had taken part in these discussions and expressed surprise that Mr. Muskie had not been briefed on the matter. They added that they expected the confusion over the nuclear policy within the Administration to be cleared up later this week, when Mr. Brown is scheduled to discuss the matter with Mr. Muskie. (p. A9)

This report demonstrates that the Carter Administration recognized the legitimacy of these attacks on the procedural legitimacy of PD-59. The Carter Administration must demonstrate that President Carter's nuclear policy was developed with all relevant parties contributing to the conversation otherwise PD-59 might not be considered legitimate. The Carter Administration chose to demonstrate PD-59's legitimacy in two ways: first they argue that The State Department was involved in the discussion that developed PD-59 which is a point that they press throughout the rest of the discussions, and second the Carter Administration sends Deputy Under Secretary of Defense for Policy Walter Slocombe as a representative of Brown's to brief Muskie on PD-59 which is a show good faith. I interpret this briefing as a corrective mechanism which is employed when a communicative violation is identified that could potentially delegitimize an argument (Habermas, 2003, p. 108). Muskie later states that once he is briefed the initial concern regarding PD-59 specifically will be alleviated (Gwertzman, 1980, Aug. 12. p. A10).

On Aug. 12, 1980 *The New York Times* reported that Brown sent Slocombe to brief Muskie on PD-59 (Gwertzman, 1980, Aug. 12, p. A10). This article reinforces Muskie's complaints about not being consulted and also argues that The State Department itself had been left out of the final directive.

The State Department confirmed today that none of its officials knew of the directive [PD-59] ahead of time, and none had been consulted on the policy since late last year.

Mr. Muskie said he would not comment on the new policy until after he had been briefed, but he said he believed he should have been asked for his views before Mr. Carter signed the directive. (Gwertzman, 1980, Aug. 12. p. A10)

The Carter Administration tried to frame this as an oversight but “refused to comment on Mr. Muskie’s main concern, that an issue with foreign policy implications was decided without his being asked for an opinion” (p. A10). The White House then pointed out that “The State Department was not usually involved with nuclear strategy” (p. A10). Both The State Department as well as the White House spokesmen believed that PD-59 was not a radical shift in nuclear policy, and Muskie is reported by a State Department spokesman as saying that once he is briefed that his problem with PD-59 will be rectified (p. A10). The dual criticism of procedural legitimacy becomes a problem for the Carter Administration. On one hand Muskie states that once he is briefed then he will have no problem with PD-59, but this article also reinforces Muskie’s former criticism of how the Carter Administration creates foreign policy decisions.

On that same day, *The Washington Post* reported that TASS had issued a dispatch which attacked the procedural legitimacy of PD-59. The dispatch argued that Brzezinski and Brown were primarily responsible for the new nuclear policy and Muskie was purposefully excluded. *The Washington Post* reported that

Muskie, as a senator, had opposed “a similar reconsideration of the nuclear strategy.”

The fact that Muskie learned about the strategic change from press reports, TASS said, “corroborates the general opinion” that Brzezinski enjoys “too great influence” in the shaping of U.S. foreign policy. (Doder, 1980, Aug. 12, p. A2)

Here we have a direct attack against the procedural legitimacy with TASS arguing that if Muskie had participated the United States would not have developed PD-59.

On Aug. 14 1980 in both *The New York Times* and *The Washington Post* reports that Muskie's participation in Carter's foreign policy discussions has been modified in such a way as to correct what Muskie viewed as internal issues in the development of policy. This report directly tries to correct the second of Muskie's two concerns regarding the Carter Administration's foreign policy. Both concerns, the fact that Muskie wasn't consulted in the development of PD-59 as well as his concern that the Carter Administration was ineffective in developing policy, come up in these articles and are both framed in such a way that it appeared that Muskie was satisfied with how everything was handled. Both news reports frame Muskie's claim that he should have been consulted as a legitimate opinion.

[Muskie] said in a television interview that "everybody seems to agree with me" that The State Department should not have been bypassed in the drawing up of Presidential Directive 59. (Gwertzman, 1980, Aug. 14, p. A3)

Muskie said yesterday that "everyone concerned now agrees that it was a regrettable omission" that The State Department did not participate in drawing up a new U.S. nuclear weapons strategy, and suggested that the omission will not be repeated. (Oberdorfer, 1980, Aug. 14, p. A2)

There is a difference in the framing of cause between the two articles. *The New York Times* frames the omission of Muskie from PD-59 as simply a bureaucratic oversight, a symptom of larger policy development issues within the Carter Administration (Gwertzman, 1980, Aug. 14, p. A3). *The Washington Post* frames the omission as being "deliberate rather than accidental" (Oberdorfer, 1980, Aug. 14, p. A2). The State Department's director of Politico-Military Affairs told *The Washington Post* that The State Department had repeatedly tried to get involved in the policy discussions and while they had participated in three meetings they had been rebuffed since

Spring 1979 (Oberdorfer, 1980, Aug. 14, p. A2). Glib argued that “what was at issue was not the policy, which I don’t think would have caused a serious dispute, but the principle of denying the president alternative points of view” (p. A2).

The dispute over procedural legitimacy continued to haunt PD-59 in the ensuing weeks up till the Senate hearing. By Aug. 14, 1980 both *The New York Times* and *The Washington Post* report that the procedural issues have been resolved. Muskie had been briefed on PD-59, and he was given assurances that the Carter Administration would include The State Department to a greater degree in future policy making decisions; however, the legitimacy of PD-59 was already called into question and while Muskie himself doesn’t address the issue further the question of why he was excluded continues to come up in future articles. While Muskie framed the exclusion as a procedural problem with the Carter Administration, both the Soviet Union as well as opponents of PD-59 claim that Brown and Brzezinski intentionally railroaded President Carter’s nuclear policy.

The debate over procedural legitimacy is significant in the context of deliberative democracy because it uncovers one strategy a democratic public deals with technical issues in society. An effective regulative tool becomes the idea that elected officials should be held accountable to a procedural standard which allows the greatest participation and prevents self-interest from affecting the discussion. In this debate Muskie never raised any specific policy concerns but instead delegitimized the process by which the policy was created. This unburdened the public with a need to deliberate on the details of a highly technical policy itself. Instead this delegitimizing move by Muskie offered the public a standard by which they could evaluate if the President could have arrived at the best possible decision. Muskie both pointed out that he was excluded and offered that he had something substantive to contribute by framing PD-59 as a

foreign policy issue. This can be juxtaposed to the Carter Administration's framing PD-59 as a nuclear policy issue. The Carter Administration pointed out that The State Department did not regularly participate in nuclear policy issues, while Muskie argued that The State Department needed to be involved in foreign policy concerns.

What comes out as significant in these documents is that while there are moral arguments present most of these are accepted and uncontested, but the concerns that emerged in these discussion stemmed from a question of the sincerity of the participants. The two concerns in the newspaper exchange are the questions of if PD-59 signals an aggressive posture for the United States and in doing so stimulate the arms race, and the question on if PD-59 was procedurally legitimate. Both concerns are focused on the intentions of President Carter, Brown, and Brzezinski. This uncovers a method of rational legitimization that occurs within public discourse and questions the "town hall" rationality which is frequently used to critique our democratic process. If this style of discussion as circulated to the public has an effect on the legitimacy of PD-59 in the private discussions of political discourse then the model of deliberative democracy might need to be reevaluated to account for this process.

Habermas's structure of deliberative politics theorizes exactly this structure which in areas of technical concern the political sphere is responsible for the particular details of policy while the public sphere legitimates those policies and serves as a canary in the mine pointing to particular problems that should be addressed. In the next section I will analyze the post-leak secret discourse that emerged around PD-59.

Post-leak political discussion

The discourse in the newspapers prompted an internal discussion to occur among policy makers regarding how the public disclosure of PD-59 was handled and foreign policy implications of PD-59. The documents that I review are predominately internal State Department memos but also include some documents written by the White House one of which is an internal White House memo. The main themes in these documents include establishing a chronology for the construction of PD-59 as well as what an addressing how the new targeting policy will affect foreign policy concerns. When the chronologies are observed through a Habermasian framework they serve to address two concerns regarding the policy. The first is the question of if PD-59 is procedurally correct the second is the question of if PD-59 is a radical departure from existing policy. The foreign policy concerns revolve around if PD-59 is a warfighting doctrine or simply an expansion of previous deterrence policy. The timelines attempt to establish that PD-59 is not a new targeting policy but rather that it is a continuation of previous policies. There is also a third, less prominent argument buried in the Gompert paper that suggests PD-59 may be a presidential political ploy rather than a serious policy (Gompert, 1980, Aug. 15, p. 3). This argument originated in Beecher's breaking of the story so it becomes a significant response even though it is not substantive within these documents.

The first overarching theme found in these documents becomes the question of if The State Department was adequately involved in the construction of PD-59. There are two separate framings for the construction of PD-59 each one a response to Muskie's public complaint that The State Department was not involved in the final process of PD-59. The first framing comes from Brzezinski's documents and argues that "all of the agencies were involved in the evolution of the new doctrine" (Brzezinski, 1980, Aug. 22, p. 2). This framing offers that The State

Department was involved according to their traditional capacity but that didn't participate in the specific instructions because "the tradition of keeping military contingency planning away from our diplomatists except in its general outline is an old and valid one" (Brzezinski, 1980, unknown). The second framing offers that The State Department was intentionally excluded in one or more critical aspects of the construction of PD-59 and implies that they should not have been excluded. Both of these framings is either trying to defend the procedural accuracy of PD-59 or call into question if the policy is procedurally illegitimate. None of these documents explicitly call into question the motives of Brzezinski and Brown as to the exclusion of The State Department. This exclusion is significant due to the fact that the Soviet Union pointed to that exclusion to suggest that Brzezinski and Brown were undermining deterrence to accelerate an arms race.

Brzezinski defends the idea that PD-59 is procedurally legitimate in two memos by arguing that the Carter Administration involved all the correct agencies at the correct times. He argues that the claim that proper procedures were not followed is "more a matter of personal sensitivity than substance" and states that while The State Department didn't participate in the actual military strike doctrine they did get an overview of the process (Brzezinski, 1980, unknown, p. 2). Brzezinski's argument takes the form of a sincerity claim where he points to the past procedures of creating military doctrine. The claim is that The State Department and all diplomatic offices are only given a general outline of military plans because "these adjustments are extraordinarily sensitive" and that there is a tradition to keep them out of military planning (Brzezinski, 1980, unknown, p. 2). Overall the procedures were correct and "all of the agencies were involved in the evolution of the new doctrine" (Brzezinski, 1980, Aug. 22, p. 2).

A second narrative prompted by The State Department memos pointed out that, while The State Department was involved early in the process, they were intentionally left out of the final formation of the policy. These call into question both the procedural legitimacy of PD-59 as well as the sincerity of the Carter Administration when they claim that The State Department was involved and informed throughout the process. The timelines point out that there wasn't any interagency work done after PD-18 (Gompert, 1980, Aug. 15, p. 6) and after January 1980 The State Department didn't get any replies to their questions even though they tried to gain access to the discussions (Cutler, 1980, Sept. 4, p. 3). This is clearly stated in the Gompert memo where the last two pages state a narrative where The State Department tried to participate with the nuclear targeting policy but were not allowed to participate after the PD-10 studies. The State Department was told that there would not be any interagency studies but rather "was told by the NSC staff that DoD would do the studies and then submit them for interagency review" (Gompert, 1980, Sept. 4, p. 6). The State Department "informally received" a copy of one of the PD-18 studies to which they submitted "extensive unsolicited comments...which made clear our belief that central foreign policy considerations were being overlooked, and which offered State Department expertise and assistance" (p. 6). The State Department stated that they received from the Carter Administration "no reply to our comments nor any follow-up on our offer" and the final product of that study "remained substantially unresponsive to the concerns" brought up by The State Department (p.6). This statement adds evidence to the former procedural claim that by leaving out The State Department from the final stages the President was not given all the information before signing the policy.

There are two distinct arguments occurring around the procedural legitimacy of PD-59. The Carter Administration makes the claim that PD-59 was created utilizing all the relevant

people according to policy and was procedurally correct according to both law and tradition. The State Department doesn't refute this claim but instead argues that they *should have* been included regardless of past policies. The argument is not one of precedence but rather a concern that the way the Carter Administration has been creating policy doesn't give the president the best information and therefore creates ill-informed policy.

The timelines further expand the argument that PD-59 is not a radical departure from the previously existing nuclear policy. This is another sincerity claim where the policymakers back up their claim that PD-59 is not a radical departure by showing past behavior which shows a consistent progression between the past policy and current policy. In these documents there are three different timelines each of which focus on the evolutionary nature of PD-59 from previous policies and discussions, and none of which challenge the statement that PD-59 departs from current policy.

A memo from Bartholomew calls into question the framing of PD-59 as a continuation of current policy. This memo points to a conflict in how Brown and Brzezinski discuss the policy. The memo, addressed to Muskie, argues that there is a problem with consistency within the Carter Administration rather than discussing past behavior. Bartholomew states that Brown is arguing that PD-59 is "evolutionary" and "not new" while Brzezinski is calling it "the third major revision of strategic doctrine since World War II" and both parties cannot appear to agree in the origins of PD-59 within previous policy (Bartholomew, 1980, Sept. 5). Bartholomew further points out that Brown frames the beginning of PD-59 with Schlesinger's policy while Brzezinski makes the statement that PD-59 is fundamentally different from those policies (Bartholomew, 1980, Sept. 5). This memo makes the explicit statement that the language of "major revision" creates an image of PD-59 as more of a warfighting doctrine than it actually is

(p. 1). That framing would prove to be problematic, and therefore the Carter Administration ought to stick to the narrative that Brown used in his Newport speech that PD-59 is “evolutionary” and “not new” (p. 1). The point of this memo is to argue that the Carter Administration needs to get its stories straight before the Senate Hearing being held on the 16th of September.

These internal memos highlight two major concerns regarding the legitimacy of PD-59 both of which guide the senate hearings which occur on the 16th of September 1980. The first major concern is the question of procedural legitimacy and the limited role that The State Department had in the development of this policy, the second concern is the nature of PD-59 in relation to previous nuclear targeting policies. The concern over the procedural legitimacy of PD-59 has two different framings: the Carter Administration argues that PD-59 is procedurally legitimate because it followed historical and bureaucratic processes, The State Department argues that they were excluded from key steps where they had something of value to contribute. The second concern relates to the Carter Administrations framing of PD-59 as an evolutionary policy. As the Bartholomew memo demonstrates there are some different interpretations of how the Carter Administration is describing PD-59. The second thing that comes out of the Bartholomew memo is that the policy is more defensible if it is a continuation of existing policy. This discussion that was held in private memos continues in the Senate hearings where the changes to targeting policy are evaluated according to the Moral Claim and ethical claims, while the procedural legitimacy of PD-59 is interrogated by members of the Senate.

Senate hearing. On September 16, 1980 the Senate Committee on Foreign Relations held a hearing on Presidential Directive 59 which attempted to both inform the Senate on PD-59 as well as “stimulate an informed debate on one of the most vital public issues—the direction

and control of policies relating to the development and use of nuclear weapons” (Senate, 1980, Sept. 16, p. 1). During the Senate Hearings three main topics are discussed and mirror the public discussion held in the newspapers. Those three concerns are the foreign policy implications of PD-59 specifically its effects upon Soviet/United States relations, the actual nature of PD-59 and if it is was an evolutionary policy or radical departure from existing policy, and the procedural legitimacy of the policy. One thing that is added in this discussion that only briefly showed up in previous documents is how PD-59 affects the SALT agreements as part of pre-existing nuclear policy as well as how PD-59 matches onto allied nuclear plans. For the purpose of my study I am focusing on the discussions regarding the legitimacy of PD-59. Those discussions are: is PD-59 a continuation of existing policy or a radical break from the existing deterrence structure, and was PD-59 procedurally legitimate. All of these discussions evaluate PD-59 according to the Moral Claim and proposed ethical claims.

The statement that PD-59 continues the current nuclear policy involves two claims. The first is a defense against challenges to sincerity which outline a timeline and continuation of the existing policy as well as refuting Soviet accusations that PD-59 is actually a first strike policy. The second claim involves how PD-59 effectively matches the normative assumptions already established by previous versions of deterrence. The first sincerity claim is backed up through two sets of reasons. These are that that PD-59 is the final product of an extended conversation dealing with an evolving nuclear strategy set up through a timeline, and that PD-59 embodies assumptions and strategies that have always been part of the United States nuclear weapons policy. The second claim is discussed extensively in conversations revolving around the normative assumptions around PD-59 specifically around the moral claim of no first strike.

Specifically important in this second claim is the idea that PD-59 doesn't move toward a warfighting doctrine.

According to the Carter Administration PD-59 is part of a natural evolution of deterrence policy rather than a break with the previous policy. Chairman Frank Church begins the hearings with an overview of documents which have guided nuclear doctrine which sets up that PD-59 is a continuation of previous policy and should be interrogated as those previous policies were (Senate, 1980, Sept. 16, p. 2). Muskie argued in his initial statement

the countervailing strategy is not a radical departure from previous policy. It is rather the result of a gradual evolution of our doctrine over a period of years in response to changing conditions and new knowledge. The credible capacity to devastate the Soviet Union under any circumstances remains its cornerstone. Thus, we will continue to include a full spectrum of political and military as well as urban-industrial targets in our planning. (Senate, 1980, Sept. 16, p. 4)

Muskie here presents evidence for both the idea that PD-59 is an apostolic heir to previous nuclear doctrine as well as consistent with the normative foundations of deterrence (more on that later). Brown specifically mentions McNamara and Schlesinger as establishing “the fundamental premise of our countervailing strategy” and states that changes in this doctrine from the previous targeting doctrine were responses to changes in “the composition of Soviet forces and some changes in Soviet doctrine” (Senate, 1980, Sept. 16, p. 7). These changes are not new and the idea that strategic doctrine couldn't be maintained by a narrow range of targets goes back “almost two decades” (Senate, 1980, Sept. 16, p. 7). Brown argues that

The United States has never had a doctrine based simply and solely on reflexive, massive attacks on Soviet cities and population. We have always planned both more selectively—

options limiting urban-industrial damage, and more comprehensively—a range of military targets. (Senate, 1980, Sept. 16, p. 7)

Brown then goes into the steps that the Carter Administration went through to establish and finally sign PD-59 which included clearing this doctrine with NATO and during the SALT hearings (p. 8). Brown's position is that

PD-59 is not a new strategic doctrine; it is not a radical departure from U.S. strategic policy over the past decade or so. It is, more precisely, a refinement, a recodification of previous statements of our strategic policy. PD-59 takes the same essential strategic doctrine and restates it more clearly, more cogently [sic.], in the light of current and prospective conditions and capabilities—Soviet and United States—which have changed during the past 10 years. (Senate, 1980, Sept. 16, p. 8)

These statements are used to back up the United States claims of sincerity on the statement that PD-59 is part of deterrence strategy. Both Brown and Muskie make reference to past doctrines and show a continuity between the actions of those past documents and PD-59. The claim states that since PD-59 is both founded in the basic assumptions of past doctrine as well as being the apostolic heir to past doctrine it is not a radical departure from past strategy. The United States actions are consistent and therefore there is no reason to challenge the sincerity of the United States when it comes to nuclear deterrence.

The second claim argues that PD-59 holds the same normative assumptions as the United States past deterrence doctrine. The reader will recall that in the first set of classified documents discussions were guided by several normative assumptions including the moral claim of no first strike, as well as the ethical claim that deterrence ought to include protecting United States allies and interests. The Senate hearings interrogate PD-59 based on several normative assumptions of

what deterrence ought to be. This interrogation assumes that the constitutive element of nuclear deterrence isn't necessarily an uninterrupted discussion about nuclear targeting but it also must adhere to the moral and ethical goals which were established as the foundation of nuclear deterrence.

The Moral Claim is a useful theoretical reduction that I created to understand the common elements of moral claims which are made in this discussion. Those elements are the assumption that nuclear war cannot be won and the claim of no first strike. One moral claim that guides the Senate discussions is the idea that nuclear war cannot be won. The idea that nuclear war cannot be won is not supported by anything but a statement of fact. This question comes in response to two propositions: the first is the uncertain nature of the Soviet view of nuclear war (Senate, 1980, Sept. 16, pp. 8-11, 13-15), and second in discussing United States military strategy (pp. 11-12). In both cases it shown that the idea that nuclear war could be won would lead to a breakdown of deterrence. This claim is the sister claim of *no first strike* which helped shape the documents above. While both no first strike and nuclear war cannot be won both show up in the original documents no first strike is the only claim that is given a normative framing, whereas the idea that nuclear war cannot be won shows up in the original sets of documents as a Soviet approach which ought to be counteracted through LNO. This changes in the newspaper accounts as well as the Senate hearings where the question of if the United States' approval of PD-59 marks the idea that they now believe that nuclear war could be won. The Senate documents interrogate that position and it is brought out that the United States does not believe that nuclear war can be won. The combination of these two claims identifies an overarching moral understanding whereby actions and attitudes which could begin a nuclear exchange are

anathema. With this new moral foundation *no first strike* becomes the action while the *belief that nuclear war could be won* is the attitude.

The actual application of the moral claim that a nation ought not believe nuclear war as winnable as well as the no first strike capacity are both interrogated by the Senate hearings as they apply to PD-59. Brown brings up this moral claim when he states “we are in no doubt, and we want them to be in no doubt, that a nuclear war cannot be won and, specifically, that they cannot win a nuclear war” (Senate, 1980, Sept. 16, p. 12). Senator Jacob Javits brings this into the moral realm by pointing out that winning a nuclear war could in fact be a possibility. Javits argues

Mr. Secretary [Brown], if [Nikolai] Ogarkov [Marshal of the Soviet Union, counterpart of the United States Chairman of the Joints Chiefs of Staff] will not admit that a nuclear war cannot be won, we are in a position where we have to adopt a doctrine to meet that; that can't just be left, that we are decent people and he is a roughneck, because the world perceives that statement standing beside our own statement. We, ourselves, say a nuclear war cannot be won. The Russians say it can. So, who knows what is buried in the Russian depths?...I believe that we have to establish a perception so strong that a nuclear war cannot be won, that General Ogarkov's declaration will be incredible. (Senate, 1980, Sept. 16, p. 12)

NTPR characterized the Soviet Union as having the belief that they could fight and win a nuclear war which is a violation of a moral claim. In the newspapers that belief was brought up as a main reason for the change in nuclear policy. Senator Jacob Javits brings this out in a statement to Brown

I want to make a statement which I believe to be true: I believe that that [describing PD-59 to the public] is where we are deficient. I think we have told the public too little in order to deal with a very powerful landmark in the public's mind, and that is, that the Russian strategy, not the belief but their strategy, is that a nuclear war can be won.

(Senate, 1980, Sept. 16, p. 13)

In the Senate hearings Brown points that PD-59 serves a dual purpose "to prevent the Soviets from being able to win such a war and to convince them that they could not win such a war" (Senate, 1980, Sept. 16, p. 8) but then responds to Jarvit's statement that "I don't think that the Soviets go so far as to say that they can win a nuclear war" but that there has been some shifts that give them a military advantage (p. 14). This becomes a sincerity claim because Brown brings up past action which he uses to interpret the beliefs of the Soviet Union. Brown argues that the Soviet Union is definitely building up their strategic force but that doesn't necessarily mean that they are building up to engage in nuclear war (Senate, 1980, Sept. 16, 14)

The policy of no first strike is also interrogated but in such a way to question if a first strike is even possible. That exchange is between Senator Charles Percy and Brown (Senate 1980, Sept. 16, pp. 18-20). Percy initiates this exchange to interrogate a charge made by the Soviet Union that argued PD-59 was a first strike doctrine (p. 19). Percy asks "with everything we have in the works now [the military capabilities] under your administration, would we have a first-strike capability when everything is planned and finished" (p. 18)? Brown responds that even if the United States launched their entire arsenal they would not have destroyed the Soviet capability for a counterstrike (p. 19). This exchange follows up on a sincerity claim whereby Muskie had previously questioned the Soviet's sincerity with their charge that PD-59 was a first strike doctrine (p. 4). Percy and Muskie then engage in an exchange over the sincerity of the

Soviet Union's claims that PD-59 is a first strike doctrine. This exchange highlights a code switch of the normative claims whereby a moral claim is suspended to interrogate another aspect of the normative claim to, in this case, interrogate another sincerity claim. The suspension of the moral claim highlights something that Habermas doesn't mention, the fact that embedded in any explicit normative statement could be more than one implicit claims. I call this metadiscursive switch a *pragmatic suspension*.

A pragmatic suspension is when the parties involved agree to ignore an obvious validity claim which would invalidate an act so that they may engage in a thought exercise on the possibilities of a specific claim. This is different from other Habermasian suspensions which are considered violations of his standard of communication for reaching understanding (ex: strategic action, symbolic action, systematically distorted communication). Rather than hiding obvious violations by deceiving the other party in a pragmatic suspension the violation is addressed by both parties, either metadiscursively or discursively, and then suspended to allow for more discussion in a different area. In this case the moral claim of first strike as wrong for both sides under any conditions also contains the ethical claim that a first strike could not achieve the United States goals because even if the United States launched a first strike they would not be able to succeed in disabling a counterattack. By suspending the moral claim in the discourse to unearth the ethical claim underneath (a successful first strike would not be able to prevent harm on the United States) Percy and Muskie are able to interrogate the Soviet Union's sincerity.

Percy asks Muskie to back up his claim that the Soviets are insincere in their accusations that the United States is preparing a first strike capability (Senate, 1980, Sept. 16, p. 19). Percy argues that "if [the Soviets] genuinely believe what they are saying publicly, it is a dangerous situation" (p. 19). Muskie argues that the Soviet's already knew that the United States didn't

have a first strike capability by stating that “during the negotiations on the SALT II Treaty, each side developed a pretty accurate appraisal of the other side’s capability” and that I think it is clear neither side has a disarming first-strike capability at this point” (p. 19). The sincerity of the Soviet Union’s claims that PD-59 is a first strike doctrine is deemed invalid because there is proof that they knew that the United States was not even capable of launching a successful first strike.

The major debate occurs during an interrogation of if the concept of LNW which is the fundamental change proposed in PD-59. LNW is interrogated from two standpoints: first a moral standpoint of if nuclear flexibility would lead to the view that limited nuclear war ought to be waged, and second from a pragmatic standpoint on if it will actually be able to deter the Soviets better than the past strategy. The moral question is brought up by Chairman Church when he asks

I am wondering if, as we move toward greater and greater flexibility, if we are not engaging in the same sort of exercise and moving toward a place and a time when we will think that it is possible to wage some kind of limited war, confine it in some way that would permit us to use these weapons? Is not that danger very real on both sides?

(Senate, 1980, Sept. 16, p. 11)

Brown responds that “I have never seen anything that a U.S. Chairman of the Joint Chiefs of Staff has written that says that... I am really well informed on the views of all the senior U.S. military, and none of them would write anything like this” (p. 11). Brown does point out that it is possible that a lower ranking general might argue that nuclear war might be won but he hasn’t seen anything that would confirm that claim (p. 11). Later Senator John Glenn asks a similar

question with “does the new policy indicate that the administration now feels that it is possible to conduct limited nuclear war?” (p. 20). Brown responds

It is possible to devise options that would respond to a limited attack on the United States. I have grave doubts that war of that kind would remain limited. [Deleted]. (Senate, 1980, Sept. 16, p. 20)

These arguments interrogate if the concept of limited nuclear options are compatible with the foundational moral claim in deterrence that nuclear war cannot be won. If Brown had offered that limited nuclear war could be fought and won then the policy itself would be considered an illegitimate deterrence policy due to the fact that it doesn't uphold the moral principles of deterrence.

The pragmatic argument regarding PD-59 comes forth that a range of targeting options will deter the soviets by striking at what gives the leadership power being the military structure itself (Senate, 1980, Sept. 16, p. 10). Brown argues that PD-59 “is intended to guide the targeting options for our present and future forces” (p. 14). This pragmatic argument assures that PD-59 still maintains the functional goals of deterrence by encouraging the Soviet Union not to strike. Brown argues that “the big difference, I would say, that PD-59 introduces is a specific recognition that our strategy has to be aimed at what the Soviets think is important to them, not just what we might think would be important to us in their view” (p. 10). The pragmatic discussion goes over what is important to the Soviet Union and then moves to how having limited strikes is a superior choice to a single massive strike. PD-59's effectiveness relies on limited nuclear weapons as acting both as a deterrent as well as a response. Brown argues that PD-59 provides targeting packages which are the building blocks for multiple scenarios that can be modified because “if a nuclear attack is made on us, we can't afford to be in a position of

saying, ‘Look, we can’t do anything in response because they didn’t do any of the things that we thought they would’” (pp. 16-17). While Muskie was talking about allied reactions to PD-59 he backs up the idea of flexible response by arguing

the idea that our only response to a limited nuclear attack would be a response against Soviet cities, inviting Soviet counterresponse [sic.] against our cities, is not fully credible. Increasingly in European minds, perceived inflexibility in targeting doctrine raises doubts about our nuclear umbrella. I think a limited response to a limited strike strengthens our links to their security in a way that is reassuring. (p. 17)

The ability to produce a limited response to a limited attack and having flexible options produces three things: first that the United States will be able to respond to a variety of attacks, second that the United States nuclear umbrella will be seen as credible and effective by the allies, and third since a massive strike would be seen as overkill in response to a limited strike the Soviets are more inclined to believe that the United States would respond to a limited attack. Senator Glenn and Brown then go over the nature of what a credible nuclear plan would be and how it would deter the Soviet Union and they land on different sides. Glenn believes that a massive strike for all options will have the most credibility while Brown argues that a limited strike will prevent the Soviets from trying to call the United States bluff (pp. 20-23).

Finally the senate hearings interrogates briefly the procedural legitimacy of PD-59 specifically from the viewpoint of the State Departments participation with the policy. This interrogation is first done by an examination of the perceived exclusion of the State Department from the proceedings, and secondly by forming a timeline which demonstrated that steps were taken to create an informed decision in regard to changes in United States nuclear targeting policy. The reader will recall that Beecher mentioned in the article that broke the story of PD-59

that the State Department hadn't participated in the construction of PD-59. Muskie was afterwards interviewed and informed the press that the first time he had heard of the new policy was when he read about it in the newspapers.

The newspaper reports on Muskie's exclusion created a line of questioning on if the Carter Administration had created a policy through the correct process both in a formal procedure as well as if the President had all the relevant information before signing PD-59. Leslie Gelb, a former director of the State Department's Bureau of Politico-Military Affairs, during an interview summed up this view in the statement "'what was at issue was not the policy, which I don't think would have caused a serious dispute, but the principle of denying the president alternative points of view'" (Oberdorfer, 1980, Aug. 14, p. A2). In the memos that circulated at the State Department timelines were presented that showed the State Department wasn't granted access to the later stages of PD-59 yet the Carter Administration argued that was appropriate for targeting policies. The statements from the Carter Administration that the official procedure was correctly follows are not challenged yet the State Department argued that they should have been involved in spite of existing procedures. In this case the procedural legitimacy doesn't refer to existing bureaucratic structures but rather follows the assumptions of communication that are vocalized by Habermas. In this case there is the question of if PD-59 is legitimate because all the actors who had a valid opinion on the policy were not present at the construction of the document. The Senate hearings interrogate the idea of procedural legitimacy beginning in Muskies opening statement.

Muskie here changes his original stance where he argued that his exclusion from the process is symptomatic of larger concerns with the Carter Administration (Gwertzman, 1980, Aug. 10; Oberdorfer, 1980, Aug. 12) and moves to the position that the State Department was

sufficiently informed and his exclusion from the final process was an isolated oversight. Muskie argues that his exclusion from the construction of PD-59 is “an unintended exception to this administration’s record of substantially increased State Department involvement in national security issues” (Senate, 1980, Sept. 16, p. 6). Muskie begins his statement on the procedural legitimacy by stating

I have carefully reviewed the record. I have concluded that Secretary Vance and the State Department were involved as the major concepts of the policy were being developed and were in a position to make their views known. (p. 6)

He points out that the “main lines of the strategy was substantially completed well before I took office” and that he had been aware of the Carter Administration’s strategic thinking (p. 6).

Muskie mirrors the state department’s objection of the actual policy arguing that because of the foreign policy implications he should have been more involved, but that his exclusion was simply an oversight by the Carter Administration rather than a symptom of a larger problem. He concludes his testimony by stating that he had spoken to policymakers and was assured that in the future he would have a fuller participation with issues with foreign policy concerns (p. 6).

Brown offers a short timeline for the construction starting with Carter’s signing of PD-18 in 1977 which “ordered a fundamental review of our targeting policy” (p. 8). He argues that “over the course of the next 18 months that study was conducted and reviewed by military and civilian experts in the various appropriate agencies” (p. 8). Both Muskie’s testimony and Brown’s timeline support the view that PD-59 was constructed with all the relevant viewpoints contributing to the process.

Conclusion

These three sets of documents demonstrate how the legitimization of limited nuclear options in United States were discussed in classified discussions, to presentations to the public sphere, and then back into the final legitimating process with the representatives of the public. The discussion was modified at each of these stages depending on the audience which highlighted particular tensions which occur in making sense of nuclear deterrence. The first set of documents, addressed internally to the Carter Administration, proposed that the new policy was morally and ethically correct while still being effective in preventing the Soviet Union from attacking the United States. The second set of documents, produced for the public by journalists, highlighted the reasoning process which developed PD-59 and interrogated the effectiveness of those procedures. Finally in the internal discussion following the public disclosure policymakers interrogated both the moral and ethical implications of a change of policy and also considered if PD-59 was consistent with or marked a departure from previous policies. Each set of documents makes claims that ask the audience to legitimate changes to The United States nuclear weapons policies. These claims do not take the form of a town hall style discussion where proposals are interrogated and consequences are discussed but instead use procedural markers and a pre-existing consensus on previous policies to help garner legitimacy for the new policy. The implications of this study will be discussed in the following chapter.

Chapter 6, Conclusion

The debate surrounding PD-59 demonstrates the complexities of nuclear deterrence when justified through a democratic process. My review of these documents from a Habermasian perspective uncovers normative, democratic, and theoretical implications for both the question of a democratically legitimated nuclear state as well as for Habermas's theory of deliberative politics. Nuclear deterrence is understood as a paradoxical situation where the moral and ethical considerations of nuclear policy are separated through a temporal process. These themes were not debated but used as a standard of evaluation for the targeting policy. This study also uncovered that when discussing nuclear deterrence policy in a public sphere a main consideration becomes the idea of procedural legitimacy. A reoccurring theme in this study was the use of timelines to prove the legitimacy of PD-59. Both the timeline and the debate over procedural legitimacy challenge the traditional conception of a deliberating public and point to democratic sense making through secondary proofs.

Deterrence policy as discourse

The study of nuclear deterrence policy can be explored through the lens of political philosophy or military strategy; however my study explores nuclear deterrence policy as a discourse which can invite the audience to make sense of existing military capabilities of nuclear nations, international relations, and moral philosophy as it relates to nuclear weapons. This understanding moves away from the discussions of effectiveness of the policies held in political philosophy or military strategy. Because this takes an approach that *nuclear deterrence policy is a discourse* this study is able to show how policymakers and the public make sense of the conditions surrounding nuclear weapons. Here I will summarize the material and international

conditions of nuclear weapons that came out of this study and I will discuss the moral aspects in a section below. All three of these conditions are brought out when discussing nuclear policies.

The critical aspect of Habermas's theory is to uncover those areas in society where the public sphere ought to focus their attention (Habermas, 1973b). These areas are considered to be situations where communication is blocked by communicative structural conditions (1984) or where media from the systems world blocks democratic processes (1987). From that point of view the one thing the PD-59 discussion didn't bring out was an interrogation of the basic assumptions of deterrence. Deterrence, the moral assumptions of deterrence, and the necessity of weapons policies themselves were never under scrutiny. Even the Limited Nuclear Options debate only considered these strikes as they related to deterrence policies not as an alternative to deterrence. From the critical perspective of Habermas's theory this fact leads to larger questions of why these policies were not questioned.

The public and policy makers interrogate nuclear weapons technical capabilities during the PD-59 debates. Specifically the newspapers argue that the existing conditions of nuclear technology make some of the policies proposed in PD-59 impossible for the immediate future. Beecher's breaking report interrogates the motivation behind the change in policy. He argues that the previous plans are no longer compatible with the military force of the Soviet Union and the United States when he states "a key element of the strategy is to de-emphasize the threat to smash Russian cities—no longer very credible because Russians can respond by leveling American cities" (Beecher, 1980, July 27, p. 1). Getler argues in his initial report that even though the strategy proposed in PD-59 is not new, citing discussions by Schlesinger, it was not able to be employed due to technological limitations. The new directive comes "at a time when the United States has the beginnings of more accurate new weapons and will soon have better

ways to control and target them than it did six years ago” and because of this limited nuclear operations are now feasible (Getler, 1980, Aug. 6, p. A10). Burt’s initial report reiterates that the technology may not exist yet, but it is feasible for the immediate future (Burt, 1980, Aug. 6). Throughout these documents the Carter Administration is interested in improving C³I (Command, Control and Communications, and Intelligence) that is seen as a major factor in successful limited nuclear options (see: PD-59, 1980, p. 4). And there is substantial discussion on the effects of hardened nuclear silos and the capabilities of nuclear weapons against existing defenses in both the NTPR as well as the Senate hearing. These are just a few examples where the introduction of deterrence invited speculation on the capabilities of nuclear weapons and their function during war. These discussions over the technical capability of nuclear weapons are used to explain the necessity of a new weapons policy as well as to understand the possibilities and limitations of the policy decisions. Of significance is that none of those discussing the technical capabilities of nuclear weapons identify themselves as experts in nuclear weapons yet they rely upon information by experts and interrogate policy based on that information.

Using a Habermasian rhetorical framework I can also unpack how international relations are debated through a discourse of deterrence. Specifically policymakers and the public question the intent of both the United States and Soviet Union. In these documents each nation argues that the other is trying to start a nuclear war through first strike. The Soviet Union uses the changes in United States nuclear policy as proof of the United States intent to strike first. The United States uses the Soviet Union’s civil defense program as evidence that the Soviet Union is preparing a strike. Both claims are justified by past and current actions by each of the nations and are used to justify current policies by each nation.

Morality and ethics of nuclear deterrence

The strategic policy of nuclear deterrence is a paradoxical situation in that it relies on the threat of violence and war as a means of avoiding violence and war. While the goal of the United States deterrence policy is to avoid war, the means to do so is to successfully communicate to an opponent that the United States is prepared to engage in a war so costly that the aggressors were not able to accomplish their goals. This paradox is understood through a Habermasian lens as the conflict between moral and ethical claims resolved through a temporal dependent understanding of nuclear policy.¹⁰ While moral claims in deterrence policy are fairly straightforward, the ethical claims are a bit more complex and require some unpacking.

Nuclear deterrence is guided by what I have identified as the Moral Claim. This claim argues that any act or attitude that could start a nuclear war is considered anathema. This broad Moral Claim is a conglomeration of attitudes that I have observed in the various documents and discussions surrounding PD-59. In those discussions it became clear that any proposal that would violate this principle would be rejected by policymakers, the local United States public, and the international public. This principle is most prevalent in the discussions involving the assumption that nuclear war could be won and the question of a first strike both of which are considered

¹⁰ Rich and Craig (2012) argue that the paradox inherent in deterrence is the conflicting messages between the communicative and metacommunicative codes which prevent an opponent from making sense of the message and thus maneuvering them into inaction. That study looked exclusively at the normative ideal of “reaching understanding” and how deterrence undermined that assumption. The current study looks closely at the normative assumptions of deterrence policy, what exactly that paradox was, and how it was internally negotiated as a strategic point.

violations of these policies. The interrogation of deterrence policy itself is significantly absent in these documents which can be interpreted to mean that denying deterrence is in itself an attitude that could lead to nuclear war.

Nuclear deterrence must maintain the attitude that nuclear war cannot be won. The first place we see this moral claim invoked is in NTPR when it is hypothesized that the Soviet Union is preparing to win a nuclear war. The idea that nuclear war could be won is considered a violation of moral policy that ought to be corrected. This characterization of the Soviet Union becomes the primary reason that the Carter Administration needs to change their current nuclear targeting policy. This attitude is then invoked by the Soviet Union when they challenge that PD-59 is in fact a nuclear war policy and that the United States is preparing for nuclear war. Finally, in the Senate hearings the state of tension between the United States and Soviet Union is interrogated to see if anyone with the power to influence policy actually believes that nuclear war could be won. This exchange occurs between Senator Jacob Javits and Secretary Brown (Senate, 1980, Sept. 16, p. 12). This exchange concludes with Brown reinforcing the idea that the Soviet Union may be building up their strategic force but it is likely that they aren't preparing for a nuclear war (p. 14). In each of these cases the attitude that nuclear war could be won is assumed to be not only factually untrue but also is assumed to be a dangerous attitude that could undermine deterrence philosophy.

The actions associated with starting a nuclear war include planning a first strike which is a position that the United States refuses to take even in the event that a first strike may be advantageous. Throughout these documents a first strike is considered to be antithetical to the moral attitude of nuclear deterrence. In these documents even when a first strike would lead to disabling part of the United States capability it is never brought up as an option. The Soviet

Union reinforces the idea that a first strike is anathema when they accuse the United States of covertly implementing a first strike doctrine. This accusation is interrogated during the Senate hearings when Senator Charles Percy and Secretary Brown suspend the idea that a first strike is anathema and instead interrogate the possibility that a first strike could be executed (Senate, 1980, Sept. 16, pp. 18-20). The conversation regarding a first strike becomes complicated because a first strike is defined as an unprovoked nuclear attack. However there are other forms of a first nuclear strike that are more of a gray area morally speaking. A specific form under discussion in PD-59 is the *strike at warning* where the president is authorized to strike if there is warning of an attack.

In these documents it becomes significant that there isn't any real debate over the moral or ethical principles. The debates revolve around if the proposed changes in targeting policy adhere to these standards. In regard to the Moral Claim the discussion around the attitude that nuclear war could be won and the discussion around first strike, both claims are simply standards which others ought to adhere to. These claims aren't an inevitable conclusion and I must assume that there were previous debates that standardized them within the discourse. The fact that those claims are not negotiated within the discourse can be interpreted to mean that either those claims are satisfactory or that questioning the moral impetus of deterrence is in of itself anathema. I speculate that the second is most likely the case even though there isn't any actual evidence within the data set collected that would confirm this suspicion.

These debates over moral and ethical claims become complicated when discussing M.A.D. vs limited nuclear strikes and offer some insight into why limited nuclear strikes were such a controversial topic in nuclear deterrence. Within a traditional political framework this debate is often framed as a conflict between two different theories of deterrence one group

advocating M.A.D. and another arguing for nuclear warfighting (Dunn, et al., 1946, p. 84; Dauber, 1993, p. 4; Freedman, 2003; Kahn, 1962, p. 42). This characterization of two defined positions is useful in understanding nuclear deterrence but is historically situated and better understood as a debate between one view that argued for power regulation to avoid nuclear war, and another group that argues for nuclear warfighting (see: Freedman, 2003). This study complicates the characterization of two different camps fighting for the spirit of nuclear deterrence and instead understands that debate as an effort by all parties, rather than two competing philosophies, to deal with the paradox of nuclear deterrence.

PD-59 shifted United States targeting policies from a M.A.D. position of massive city strikes to a flexible response with limited nuclear options. While NTPR does point out that there is a concern that limited nuclear options will stimulate the arms race a more subtle interpretation highlights the interaction between the sincerity claims of both nations and the Moral Claim. This reading points out that M.A.D. is easily interpreted as a deterrence philosophy when coupled with essential equivalence. M.A.D. when it is actively employed violates the ethical claim of protecting the United States and its interests. In doing so it is easy to show that a nation that publicly espouses M.A.D. has no intention of using it as an aggressive strategy. M.A.D. therefore fulfills the temporal Moral Claim for the sake of in some ways violating ethical stance. All the United States needs to do to support the idea that they are committed to deterrence is engage a M.A.D. stance and there is no question of the sincerity of the United States. Limited nuclear options suffer from the opposite problem. Limited nuclear options are designed to act as an effective military strategy in the event of war. Therefore the morality of this stance comes into question since it isn't nearly as secure of a moral position. Instead of simply espousing a policy which no one would benefit from the United States needed to offer additional support to

reinforce the idea that they were not going to engage in a first strike. The characterization of this debate between M.A.D. and nuclear warfighting doesn't fully explain that both strategies are considered deterrence strategies rather than active warfighting strategies. This is seen in the Senate hearings when policymakers ensure that PD-59 is not an attempt to engage in nuclear war.

This debate becomes significant in the Senate hearings when the Moral Claim is pragmatically suspended to explore the possibilities of a first strike. The subsequent discussion discovers that the United States is sincere in their statements that LNO are not a warfighting strategy. Limited nuclear options maintains both moral as well as ethical claims because a first strike would not fulfil the United States goals and would open them up to a devastating retaliatory strike by the Soviet Union but in this case only under the condition that a first strike would in fact not be advantageous to the United States.

Democracy and PD-59

As stated earlier several nuclear theorists believe that the notion of democracy is incompatible with nuclear weapons policy (Taylor, 2007b, p. 671). This assumption is largely due to the belief that a valid democratic process requires an informed citizenship to debate and legitimate decisions of the state based on a reasoned deliberative process (Taylor & Kinsella, 2007, p. 5). Nuclear weapons policies are inherently secretive in nature and highly technical so the ability for a public to have an informed debate is limited. This study argues that the ability for a democratic public to actually understand and debate a topic is not necessarily the sole principle in evaluating the effectiveness of a public deliberation. In the debate around PD-59 policymakers and the public used several shortcuts in the reasoning process that, although they didn't fit a typical deliberative democracy model, did borrow from a reasoning process that was

embedded in Habermasian notions of communication. I have discovered that the procedural legitimacy of PD-59 became a primary concern not just in public deliberations but it was also carried into secret meetings held behind closed doors. Additionally there was a focus upon PD-59's ties to pre-existing nuclear policies as part of the legitimation process. While this understanding of democracy opens up the possibilities of a democratic public these legitimation processes are limited. One problem with these procedural methods of legitimation is that these methods don't interrogate the meaning of the policy rather they simply serve to recognize that there may be a problem. It is imperfect but democratic activity is present.

The conclusions I can draw for the study of democracy are limited by the texts I analyzed. By reading newspaper articles I was not able to actually discover how the public at large were actually discussing PD-59. As modern mass media research has proven time and again, mass mediated communication is only a part of the process used to form actual public opinion. Additionally, the newspapers I decided to use were largely limited to two primary publications of *The New York Times* and *The Washington Post*. This was done mostly due to time and space as this study was a comparison of various texts and not simply a newspaper analysis. Both of these publications were contacted by the Carter Administration and at times were utilized to get out the official story as opposed to any investigative journalism. In spite of these limitations I am confident that this study was able to come to some conclusions in regard to how a public processed the PD-59 debate. These newspapers represent a discourse constructed with a particular audience in mind; that audience is the legitimizing public of the United States. The discourse itself was a representation of what policy makers, the Soviet Union, and the reporters themselves thought were relevant for the public to know. We know that the representations in the press were not in line with what the Carter Administration wanted the

public to hear (Brzezinski, Unknown; 1980, Aug. 22; Cutler, 1980, Sept. 4). As such while it is inadequate to state definitively that I have uncovered the true public debate over PD-59, I can state that the reoccurring themes within the newspapers affected the private discussions and represented the issues in the public eye. While these texts were not constructed directly by the public they were constructed directly for the public. There were three main arguments in the public documents: that PD-59 was the apostolic successor of previous nuclear targeting policies, that a change was necessitated because the Soviet Union was preparing for an attack, and that Muskie wasn't given the opportunity to participate in the creation of PD-59.

There was a tension concerning the idea that PD-59 was a continuation of pre-existing nuclear policy which was punctuated in the Bartholomew memo. The Carter Administration decided to describe it ultimately as an *evolutionary policy* but had also hinted that it was a *break* from previous policy in some documents (Bartholomew, 1980, Sept. 5). The Carter Administration frequently brought up past policy and cited previous discussions that related to the policy changes in PD-59. One significant form was that the Carter Administration released timelines both to the press as well as in internal memos among policymakers. These strategies created the perception that the policy was legitimate in three ways. First, because it was the apostolic successor to previous policy that had been legitimated by policy makers and the public by borrowing the legitimacy of those previous conversations. Secondly, the previous policy had been tested so it was legitimate because the previous iterations were proven effective. Thirdly, because the changes in the policy were scrutinized by the appropriate policymakers for a significant length of time.

My first significant conclusion from the arguments involving the timelines is that it appears that policymakers assumed that the United States public when faced with matters of

technical expertise approach policy changes with a conservative temperament. From a temporal view previous policies have the additional proof of time and experience and therefore new policies are more likely to be adopted if they are tied to these previous policies. For this reason it was a benefit to the Carter Administration to argue that PD-59 was a continuation of previous nuclear targeting policy. This conclusion shows that policymakers relied upon a pre-existing consensus rather than a deliberative discussion on the merits of the existing policy. Provided that the Carter Administration could prove that the new policy can be tied to a pre-existing consensus this process allowed policymakers and the public a shortcut in legitimating new policy. The discussion is no longer on the merits of the existing policy but rather on if the new policy needs to be discussed based on its similarities to previously legitimated policy. While this reliance on pre-existing consensus can be helpful to legitimize policy it also shows how bureaucratic systems can override democratic process.

Habermas proposes that bureaucracies serve the function of creating a consensus while avoiding the long process of discussion. This shortcut is necessary in a complex society but problematic when bureaucracies create the appearance of a consensus when in fact something needs to be discussed. Habermas calls this the colonization of the lifeworld by the systems world. Colonization happens when systems media of money or power are used to silence discussion in order to resolve an issue without actually reaching understanding. In this case the use of bureaucratic procedure to create the false impression of consensus would be problematic. The debate over PD-59 has several instances where the Carter Administration tried to maintain control of the discourse and in the private memos frames the debates over Muskie's participation as being caused by the media inaccurately reporting the policy.

My second conclusion is that these temporal proofs support bureaucratic procedural legitimacy. I make a distinction between bureaucratic procedural legitimacy and Habermasian procedural legitimacy as there appears to be a difference in these documents. A bureaucratic procedural legitimacy would entail proving that the policy was constructed according to previously agreed upon jurisprudence. Habermasian procedural legitimacy requires that the policy makers were given all the appropriate information in order to come to a correct decision. This includes making sure that relevant arguments or people who could make a productive contribution to the discussion are not excluded from the policymaking procedures.

The Carter Administration utilized timelines to serve as proof that PD-59 followed bureaucratic procedures accurately while the state department employed their own timelines to prove that the procedures followed excluded them from the discourse. The interesting thing was that PD-59 was not directly challenged in these exchanges. Muskie and the State Department were clear that they didn't want to challenge the actual policy but rather they were concerned about the dangers of excluding them from these types of policy decisions. In both cases the Carter Administration and The State Department explicitly addressed each other as to why their form of procedural legitimacy was correct but in the end the Carter Administration agreed to give the State Department more access to policy discussions.

The problem with procedural legitimacy is that it doesn't actually create a new understanding of the policy under discussion. This process only shows how violations in the basic assumptions of communication have occurred but doesn't demonstrate what is actually wrong with the final consensus. There are two options when violations occur: to revisit the discussion with corrections made to the process, or to invalidate the conclusion of the discussion. In the case of the State Department's appeals to procedural legitimacy Muskie was careful to

maintain the legitimacy of PD-59 while arguing that changes needed to be made with how the Carter Administration approaches future policy. Muskie stated several times that he did not have a problem with the actual policy itself so in the end no calls to revisit PD-59 were made.

This emphasis on procedural legitimacy suggests that one way the public deals with complex issues is to oversee the policies to insure that the correct experts in the community have access to the discussion. In the construction of PD-59 interrogating the procedure whereby the policy was constructed proved as, if not more, important than the actual policy points themselves. The State Department's exclusion was seen as a symptom that something was wrong with the policy and it caused the Carter Administration to immediately begin discussing the policy in depth with Muskie so that he could approve the policy. Muskie reiterated his approval in the beginning of the Senate hearings to re-establish that his exclusion shouldn't affect PD-59. This is one way to intuitively deal with issues where representation is necessary but also fails to interrogate the policy. The public must trust that their representatives have their best interests in mind and are not working through self-interests.

Theoretical implications

The first major theoretical contribution that this study makes is to demonstrate not only that Habermas's theory is compatible with the United States tradition of rhetorical theory, but that a rhetorical heuristic can be constructed using Habermas's normative distinctions. This finding is in contrast with multiple scholars who argue that Habermas either ignores key features of rhetoric or that his normative theory is in direct opposition to foundational principles within rhetoric (Charland, 1994; Farrell, 1993; Hauser, 1999; Mouffe, 1999; Peters, 1993). While Habermas only directly mentions rhetoric in two pieces (Habermas, 1984; 1990b) his work when read as a whole doesn't have any theoretical conflicts with rhetoric. Most of the criticisms

leveled against Habermas by American rhetorical scholars are either due to a limited read of his scholarship or due to misunderstanding his work. The two main criticisms are that Habermas doesn't adequately account for aesthetic adornment or fictional elaboration within public discourse, and that Habermas's normative assumptions invalidate acting with intent. While both concerns do not in fact stand up to a complete reading of Habermas's work, the first assumption is based on a limited read of Habermas's work while the second argument is based on a misunderstanding of Habermas's theory. From the standpoint of this study the United States tradition of rhetoric and Habermas's theory are in fact compatible insofar as Habermas doesn't offer any claims that directly conflict with the study of rhetoric as a whole and rhetoricians ought to feel comfortable working within Habermas's normative framework. This study offers one way to convert Habermas's normative theory into a rhetorical methodology that allows scholars to assess deliberation within the public sphere.

This study also observes the multiplicity of claims as well as practices of shifting the ground that occur in normative discourse. Habermas outlines that there are different types of normative claims that offer what one ought to do in a given situation: pragmatic, ethical, and moral. Each of these claims can be used to justify a particular normative stance depending on how a claim is justified (Habermas, 2001, p. 8). Pragmatic claims are justified because they propose an action that will accomplish a set goal that is agreed upon by both parties. Ethical claims are justified because the action itself is good for an actor or body of actors. Moral claims are justified because they propose that something is always the correct thing to be done regardless of context or actors. Habermas proposed that the normative claims are negotiated through discourse and that actors will justify their *ought statements* if challenged.

Habermas points out that the question of what someone ought to do in a situation can be initially framed in a pragmatic, ethical, or moral way. This study finds that a single claim can also be interrogated from any of these positions as well. One phenomena that I ran into was the idea that a single claim can have two or more of pragmatic, ethical, and moral justifications. This led to various actors engaging in shifting the ground during discourse. One of the best examples is the discussion of no first strike. PD-18 proposes no first strike as a moral claim whereby both nations are restricted to that as a position (PD-18, 1977, p. 2). The wording states that the United States will not “seek a capability for a disarming first strategic nuclear strike against Soviet strategic forces so long as the Soviet Union does not do so against us” (p.2). The idea of not preparing a first strike is typically a moral claim, but here we see it switch to an ethical claim in the discourse. That back and forth between ethical and moral claims are seen throughout these documents and not as a proposal to violate these claims but simply to argue that in certain cases an ethical argument may be more persuasive or, in the above example, fulfill more pragmatic goals than a moral claim.

Another practice I observed was the *pragmatic suspension* of validity claims. This practice occurred in the Senate hearings and involves ignoring an obvious moral violation in order to interrogate other claims within the discourse (Senate, 1980, Sept. 16, pp. 18-20). In discourse the participants choose to suspend action to challenge any claims brought by the participants. Pragmatic suspension involves recognizing and agreeing upon an obvious violation (as determined by the agents) but interrogating a separate claim instead. The pragmatic suspension I observed was when Senator Charles Percy asked Secretary Brown if a first strike by the United States even could result in victory (p. 18). As shown above the question of a first strike is anathema since that act would start a nuclear exchange but Percy and Brown are willing

to suspend that principle in order to discuss if it is even a possibility with the understanding that the act will not be performed. The theoretical issues of ground switching and pragmatic suspension highlight metacommunicative moves present in communicative action. This phenomena also occurs in everyday talk coded by phrases like *for the sake of argument* or *let me play devil's advocate*. In all of these cases the implicit statement is that there is an agreement about the invalidity of the following statements but both parties both acknowledge and ignore that invalidity to engage in discourse that helps make sense of a situation through further exploration.

Issues of secrecy complicate deliberative democracy. This study demonstrates a way that critical democracy theorists can approach the practical problems of government secrecy without relying on apocalyptic rhetorical tropes for their analysis. In this study the discussions behind closed doors accurately reflect the normative attitudes of the public (as reflected in the public discussion). In both settings the moral and ethical concerns were guiding the discussion, and the public introduced the issue of procedural legitimacy that bled into the discussion in the Senate hearings.

Habermas's theory of deliberative politics argues that public discussion is meant to guide policymakers by recognizing problems in society and it is the policymakers' responsibility to maintain the normative understanding of the public while addressing those issues. While this study doesn't offer a possibility for a theoretical framework for conclusively determining if a document created out of the public eye is legitimate it does examine how a secret document can be presented to three different audiences. In doing so a researcher can observe if a document is either misrepresented to the public or if public concerns are taken seriously by policymakers. This study demonstrated that PD-59 was constructed in a manner that was in fact consistent with

the normative concerns of the public and subsequent discussion took the public concerns seriously.

Nuclear weapons produce a tension for democracy theorists because both the weapons and policies associated with them are so technical that they require expert knowledge to truly understand, the policies themselves are frequently formed in secret, details of nuclear weapons are classified and therefore not open to public deliberation and the history of nuclear weapons is punctuated with intentional deception aimed at both the enemies as well as the United States public. All of these issues are concerns however I do not believe that these concerns make nuclear weapon policy antithetical to principles of democracy. Many of these assumptions rest in the idea that a healthy public ought to resemble a town hall style of deliberation that is not possible in a large scale democracy (Habermas, 1996).

The first concern that nuclear weapons are so technical that they require expert discourse has two underlying issues. The first issue involves the role of experts within a democratic public while the second issue involves the ability for the public to be informed enough to create an informed decision. These concerns are addressed by Habermas and while they do highlight issues with the principles of democracy as a whole they do not undermine the democratic process. In *Legitimation Crisis* Habermas argues that expert discourse, or influence, exists within a systems world understanding replacing rational discourse with a form of decision making that undermines consensus. He reverses this stance in *Theory of Communicative Action, volume 2* where he reiterates this position and then argues that because influence requires a communicative medium it cannot undermine rational consensus the same way that money and power undermine a rational consensus. So while expert discourse may be more influential than everyday discourse

it both contributes to the consensus communicatively as well as can be interrogated communicatively.

The second concern involves the idea that unless a public can actually understand the issues being discussed then that public cannot have an informed opinion regarding the policies that are developed in that discussion. I disagree with this notion and believe that even if a public cannot fully comprehend all the details a public deliberation is both productive and allows policymakers to come to the best policies. The first part of that concern is addressed by Habermas when he argues that when people come to a decision regarding issues of truth they aren't actually deciding on the actual nature of the world, but rather they are coming to consensus on the methodology that led them to the conclusions they agreed upon. This subtle point makes a difference in that no conversation ought to hold the burden of complete understanding but that all discussions are open to flaws. All discussions do not determine the nature of truth but rather interrogate the reasons behind the conclusions. This distinction becomes important in democracy because since the discussion itself is deciding on the means of understanding in a limited knowledge environment then the discussion shouldn't be evaluated based on if the final conclusion. Additionally Habermas delineates the function of a public and a political body. By Habermas's distinction of a deliberative public the public discussion doesn't actually create policy but rather shows the political sphere what issues need their attention. This allows for policy to be developed by experts while justified and legitimated by the public.

Major limitations

This study tries to make sense of the discourse of deterrence through a Habermasian framework to observe how the public participates in legitimizing nuclear weapons policy. The

conclusions of this study are limited due to the source materials identified and the theoretical framework applied.

This study read primary source documents from a rhetorical perspective. These documents were official communications between policymakers, newspaper articles largely informed by interviews with policymakers, and the transcript from a senate hearing. These documents do not actually assess the public's voice and I was forced to assume that the newspaper documents were targeted to the public therefore engaged their voice in some capacity. While I do stand by this assumption I also recognize that this method is not a true assessment of the public sphere rather simply an analysis of information available to the public. There are other methodologies available to rhetoricians that more accurately reflect a public opinion. These methodologies include historical ethnographies, reading materials produced exclusively by non-policy makers (transcripts of protest meetings, alternative newspapers), vernacular rhetorical methods, and interviews with non-policy makers. Each of these methods would be able to claim authority of the rhetoric in the public sphere more so than my newspaper readings. A second problem with a rhetorical read of these documents was I was not able to analyze the process by which PD-59 was legitimated outside of these documents. Odom has discussed the meetings he had with the pentagon and how it influenced everyone's opinion of limited nuclear strikes (Odom 2004), but that was simply summarized in the sterilized language of NTPR and a large contextualization was not available.

From the theoretical standpoint this study relies on a strict reading of Habermas's work that allows me to work within his normative assumptions but also limits my ability to engage in alternative types of criticism. Habermas's theories are grounded in a post-metaphysical approach to philosophy that places a priority on the linguistic interactions as the manifestation of the self

(Habermas, 1996, pp. 23-24). This approach specifically moves away from a philosophy of consciousness based on metaphysical conceptions of self and relies upon procedural rationality (1996). This approach values the interactive use of language to reach understanding over the identities and histories of the individual actors. As such issues of identity within the context of the Cold War are reduced to validity claims and procedural correctness that are interrogated based on universal pragmatics. The individual histories of the actors and national identities play a huge role in Cold War nuclear discourse, but a Habermasian approach focuses on different elements to the detriment of individual or collective histories. While I do believe that a Habermasian approach is useful other approaches would uncover different elements that I am unable to analyze within a Habermasian framework.

Author's observations

This study started with the question of how secret policy could be legitimated in a complex democracy. I felt that this question was important for three reasons: first because I believe that government decisions ought to be legitimated by a public, second because I believed that some form of secrecy is necessary particularly when dealing with nuclear weapons, and third because I was unsatisfied with the assumption that because of the technical complexity and secrecy revolving around nuclear weapons that nuclear policy is inherently undemocratic. That third reason felt axiomatic and gave me the real motivation to attempt this project. This project also coincided with the Edward Snowden Wikileaks scandal. Throughout the debates over whether the government was correct in their surveillance of United States citizens I kept hearing that they were wrong but never hearing any real theoretical reasons why. From my perspective “we don’t like it” is only half of the puzzle and a useless argument if not attached to a theoretical framework of understanding that tells everyone why “we don’t like it” is a delegitimizing move.

I wanted to find out if I could apply a theoretical framework to better interrogate whether certain secret policies are either legitimate or illegitimate within a complex democracy.

Habermas became my main theoretical focus because he has a critical theory of modern society that is complex enough to deal with issues of public legitimation and government secrecy. Habermas's theory also provides a critical base grounded in communication that allows me to unpack areas of distortion grounded in individual interests while recognizing policy decisions which have been vetted based on legitimizing functions. A major barrier that I encountered was the notion that Habermas was incompatible with rhetorical criticism. I've always resisted the idea that Habermas was somehow at odds with the United States tradition of rhetoric. This study gave me the opportunity to interrogate those objections and create a heuristic for rhetorical criticism based on Habermas's critical theory of society. I discovered that the rhetorical objections were either specific to particular rhetorical models, or those criticisms were based on a misreading or limited read of Habermas's philosophy. In the end I concluded that Habermas's theory is not incompatible with the United States tradition of rhetoric, and that a heuristic of rhetorical criticism based on Habermas's model was both possible and useful particularly because of its complex critical character.

Habermas's critical philosophy has roots based on Marx's historical materialism and tries to address large issues of complex democracy. The complex nature of Habermas's critical philosophy interested me because it is largely disengaged with a historical or particular worldview. I am aware that many critical studies rely upon the self-interest of a public or particular group and, while useful to those groups, sometimes degrades into partisan accusations when applied to issues of nuclear policy (see Hogan, 1994 for a example of partisan accusations). While I'm not trying to disenfranchise those studies I did want to apply a critical

framework which operated independently from a particular viewpoint and offered conclusions that weren't rooted in pre-determined policy interests. Habermas argues that his theory is able to uncover those areas which the public ought to apply remedies and this operates independently from self-interests based on a theory of late capitalism (Habermas, 1973b). This application uncovered that several discourses that were assumed to be true were never interrogated by either policy makers or the public.

The analysis of this project initially focused on the policy documents but ended up focusing on the discussion surrounding the documents. Initially I spent time analyzing the secret documents looking for how the policy itself was constructed within the documents. I soon found out that the real normative issues came out in the discussion surrounding the documents. This refocus allowed me to develop the Moral Claim as I saw particular normative justifications used both in the policy documents and in the debates. It became apparent that this standard was a legitimizing move by the policy makers. The problem was that while this move was in fact faithful to Habermas's theory that policy must reflect a normative temperament of the public, I didn't see a moment where the Moral Claim was interrogated itself. This became one of the main focuses of my study.

In this study it became apparent that while I was discovering issues with the process which would require more critical reflection, I was not really addressing the active public which was debating those issues. Habermas argues that critical theory is important in showing where weaknesses are in the structure but that we also need an enlightened public to address those issues to affect change. This study focuses on a time where an active public was addressing issues of nuclear policy but this study does not really address that public.

PD-59 and the context of nuclear deterrence policy

The late 1970's was in many ways a pivotal time in the United States nuclear weapons policy. Changes in both the technological capabilities as well as international landscape that occurred during the 1970's helped to facilitate an active public discussion surrounding the issues of nuclear weapons and nuclear war. Ultimately these discussions bled into the public discussions of the 1970's and 80's and created the conditions for The United States nuclear policies. Because of my choice in texts and methodology this study doesn't address these larger issues at play during the 1970's and 80's however PD-59 didn't occur in a vacuum. The public which debated PD-59 were exposed to the larger issues of nuclear deterrence and were active in trying to shape the United States Nuclear weapons policy.

The early 1970's marked a period when activists were largely inactive when it came to United States nuclear weapons policy compared to previous decades. Wittner argues that this was partially due to arms control breakthroughs of the 60's which gave the impression that the nuclear nations were moving to remove nuclear danger (2003, p. 2). This assumption was supported by the SALT I treaty which included a limitation for anti-ballistic missiles. The relative inactivity by anti-nuclear activists changed around 1975 and was triggered by two main events: the ending of the Vietnam War which allowed activists to focus on nuclear weapons and a more hawkish rhetoric by the United States (pp. 6-8, 21-23). The reactivation of the anti-nuclear protesters coincided with several new developments which "heightened awareness of the ongoing nuclear arms race" (p. 21). These new developments included: new concerns about nuclear power which helped remind people of nuclear danger, leaked information about the neutron bomb, and an international forum on disarmament in New York (p. 21).

This new awareness among United States protesters became focused on the neutron bomb, MX controversy, and eventually on the nuclear freeze movement. Each movement was unusual in the history of nuclear weapons in that the movements themselves were able in some degree to enact changes or prevent action by the United States government regarding nuclear weapons. Controversy over the neutron bomb created a large international movement which protested the bombs research and development (Wittner, 2003, pp. 23-25, 38-39). Protest organizations in the United States specifically targeted the research and development of the neutron bomb (p. 38-39). Ultimately Carter scrapped plans for the bomb under pressure from both local as well as international forces (pp. 43-45). The MX controversy was largely a localized movement in the United States which protested the implementation of mobile MX missile launchers in Utah (Glass, 1993). These protests ultimately caused the Carter Administration to discontinue the project (1993). And as a final example, the Nuclear Freeze campaign of the early 1980's gained huge popular support which caught the attention of policy makers in the United States. While the effectiveness of the campaign itself is questionable it did have a huge effect on how the government talked about nuclear weapons (Bjork, 1992; Hogan, 1994).

The late 1970's and early 1980's had a robust public sphere focused on nuclear weapons policies which Wittner argued was in part due to skepticism regarding how nuclear weapons were being managed (2003, pp. 2, 6-8, 21-23). This robust public activity coincided with Carter's development of PD-59 and in some ways PD-59 can be read as a response to some public pressure regarding nuclear weapons particularly the MX debate. This study does not explore the connections between the active public and rather simply reads the information that was released to the public. Future studies can look at the interaction between how the public was

actually discussing nuclear weapons in the public sphere and the policy discussions held behind closed doors.

Future studies

The first area of future study are the historical implications of PD-59. My study outlined the controversy that occurred during the Carter Administration but did not look at the effects of PD-59 after Sept. 16, 1980. Odom mentioned that Reagan re-wrote PD-59 in National Security Decision Directive (NSDD)-13 and while it carried “the general thrust of PD-59 [it had] less comprehension of what was needed” (Odom, 2004, p. 175). This transitional period and aftermath of the senate hearings is left out of my study and would prove valuable particularly in seeing how a major controversy either got resolved or disappeared. I also limited my study to newspapers that were published between July 27, 1980 and Aug. 13, 1980. This demarcation was done because many of the themes that appeared in the subsequent secret memos and senate hearings were covered in this period, but the public debate over PD-59 continued in the newspapers well after Aug. 13, 1980. A rhetorical analysis of a wider selection of newspaper articles would help add to the historical record of PD-59 and the public controversy that fueled the senate hearings.

This study also shows some legitimizing shortcuts that are used in democracy that theoretically run counter to the town hall style of deliberative debate but do allow for a way to legitimate complex policy issues. One way that the public dealt with legitimating PD-59 was to interrogate the procedural legitimacy of the document. While this process didn’t explicitly explore the policies within PD-59 it was seen by both the public and policymakers as a valid concern that could undermine PD-59’s legitimacy. This is significant because it doesn’t rely upon a bureaucratic definition of procedural correctness, which PD-59 did follow, but rather

emphasized an argument for a form of procedural correctness founded in Habermas's normative framework. Future studies of democracy could observe if this form of legitimation appears in other contexts for other debates. Furthermore the use of a legitimizing shortcut to democracy can be seen, through a Habermasian framework, as a successful method for the public to intervene in public policymaking rather than distortion caused by avoiding deliberative debate on the policy itself.

From a theoretical perspective this study opens up options to understand nuclear weapons policy as a democratically legitimated process. Scholars can approach nuclear weapons policy from the point of view of an empowered public process rather than a strategically manipulated democracy. This view sees the democratic public sphere as a body which identifies problems and establishes norms while the political sphere debates the actual policies while responding to the public's concerns as a normative standard for evaluating the health of the policy. This point of view can produce new scholarship in previous secret policies that, while not directly debated by the public sphere, were influenced by the public temperament. It also offers a new way to understand current debates and activism surrounding nuclear weapons and other secret policies.

This study observes how the Carter Administration created a secret policy, how that same policy was leaked and presented to the public sphere, and the final steps where the policymakers deliberated the content based on the presentation in the public sphere. This move from private deliberations, to public presentations, and again to private deliberations shows how government creates secret policy and the various factors that influence that process. I emphasize the analysis of the public presentation and how that affected the subsequent conversation to observe the mechanisms that the public used to make sense of and legitimate the policy. This study observes a unique point in nuclear policy where the public was included in a secret policy decision and

that policy was framed for public view. That framing shaped the subsequent discourse and demonstrated that policymakers were cognizant of concerns raised in the public sphere but the way the concerns were framed prevented active participation in the policy rather the criticisms were limited to a zero sum legitimation debate.

The construction and debate surrounding PD-59 used moral and ethical principles as well as procedural norms to test the legitimacy of the new policy. The moral and ethical claims that help shape the normative structure of PD-59 provide a base understanding of what a policy ought to do, but The Moral Claim itself is not interrogated or justified within these documents. PD-59 was interrogated by policymakers based on The Moral Claim but the claim itself was taken as given. This shows that the principles that guided PD-59 were established in earlier discussions regarding nuclear deterrence and may show some discursive closure surrounding challenges to The Moral Claim (although none were shown in this study). The other major interrogation was one of procedural legitimacy. Claims to procedural legitimacy can either invalidate a consensus or cause it to be revisited. In this case the policy was revisited but never directly challenged. This study showed that while there was the form of legitimation within PD-59 the process that the policymakers used would only legitimize or delegitimize the policy, it would not change it once it was formed by the Carter Administration.

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Appendix 1: Newspaper articles cited

July 27, 1980

US drafts new N-war strategy vs. Soviets By: William Beecher

Globe Staff

Pg. 1

WASHINGTON—The Carter Administration is developing a modified nuclear war strategy aimed at convincing the Soviet Union it would have much more to lose than gain in attempting a major attack.

A key element of the strategy is to de-emphasize the threat to smash Russian cities—no longer very credible because Russians can respond by leveling American Cities. Instead, the stress is on systematically destroying Soviet military forces, Soviet leaders in their concrete bomb shelters throughout the country, and key factories outside major cities.

With its army, leadership and production devastated, the thinking goes, the Russians could not be confident about achieving their military objective, such as occupying Western Europe or the Persian Gulf oil fields. Further, they would have to worry whether, in the post-war world, without cohesive leadership cadres or forces, they could maintain control over the Soviet empire or even defend their eastern frontier against China.

Well-placed sources say the timing of a presidential decision memorandum on the new strategy, still being drafted in the National Security Council, may hinge on its anticipated impact on the political campaign.

“If it’ll help steal some of Ronald Reagan’s thunder on the defense issue,” one official said, “don’t be surprised if it surfaces before the November election.”

Increasingly in recent years, as Soviet nuclear and non-nuclear forces have continued to mount in size and capability, American and other Western analysis have become nervous about the continuing usefulness of the so-called Mutual Assured Destruction strategy.

It was based on the notion that, like two scorpions in a bottle, neither would strike, because each could be sure the other would strike back and both would die

Strategy, Page 12

[page 12]

US reshaping nuclear strategy

*Strategy

Continued from page 1

But the Russians have never accepted this doctrine. Their literature and their force design aim at achieving victory, by non-nuclear military means if possible or by nuclear war if necessary

So, while the United States for years did not design its missile warheads to be large and accurate enough to threaten hardened Soviet missile silos, the Russians have taken the opposite tact. And, while the United States decided not to make more than a token Civil-defense effort, the Russians have been building a massive system, particularly to protect their political leadership, their military commanders, their key industries, and, lastly, the population in general.

While American strategic target plans have been limited to Russian urban-industrial centers, providing other options for a President if deterrence failed, the declared policy, along with the way the United States designed certain weapons, has the threat of mutual suicide if the Russians launched a major war against the United States, its vital interests or its allies.

“In a major crisis, if the Russians foresaw, after a nuclear exchange, US cities in a shambles, Russian cities in a shambles, and the Red Army in charge of Western Europe, the Persian Gulf

and Japan, would they be deterred?” asks one senior American planner. “It’s too close a call for me to be comfortable.”

US analysis say the decision-making process in the Soviet Politburo remains an enigma. But it is known that the three central elements in making policy decisions are: Communist Party officials who have spent a lifetime struggling to take and hold power; Military leaders, who wield much more influence than their counterparts in the West; and technocrats, who are proud of their ability to build truck plants and steel mills in a backward society.

Each of these separate elements in the power hierarchy must be faced with the loss of all he holds dear if it is to be deterred from war, American strategists believe.

Special groups of targets, referred to as target sets, must be planned beforehand, so that a President in the minutes available to make a decision can review the various combinations and send out a coded order for the assault on specific ones.

In nuclear planning terms, the following target sets could emerge from [sic.?] this kind of thinking:

Leadership: about 700 underground shelters for key Soviet officials throughout the country. Us planners

Continued on next page

[page 13]

Plan sets targets outside Soviet cities

Continued from preceding page

believe they have located most of them.

Strategic targets: about 2000, including 1400 ICBM silos, plus command and control bunkers, nuclear storage sites, and strategic air and naval facilities.

Other military targets: about 3000, including 500 airfields, plus military units, supply depots and critical transportation hubs.

Key factories: between 200 and 400.

This is not to suggest that US Strategists plan an all-out attack on all such targets the moment deterrence fails, if it ever does. Rather, planners say, it means developing the capabilities to take out any part of this list, even if the Russians attack first, and the ability to wage an extended war. That calls for US command and control facilities that are harder to destroy, more accurate and more survivable weapons and more flexibility in shifting any particular weapon from one target to another in the midst of battle.

Administration programs are already are [sic.?] moving some of these goals. And many of the defense planners advising Reagan are known to be urging that more be done on an accelerated basis. But it is not the direction of strategy that is in dispute between the camps—merely the pace and adequacy of current programs. And some of the Reaganites would add much more civil defense and even antimissile missile defenses to the mix.

Transcribed from original photocopies

Provided by *The Boston Globe* archives

By: Marc Howard Rich

March 3, 2015

The Washington Post

August 6, 1980, Wednesday, Final Edition

Carter Directive Modifies Strategy for a Nuclear War

BYLINE: By Michael Getler, Washington Post Staff Writer

SECTION: First Section; A10

LENGTH: 824 words

President Carter has signed a new directive that modifies the strategy the United States would use in fighting a nuclear war with the Soviet Union, according to high-ranking administration officials. The new strategy involves placing less emphasis on all-out retaliation against Soviet cities in the event of a Russian attack. Instead, there would be greater emphasis on destroying Soviet military forces and both political and military command centers early in a conflict in hopes of convincing Moscow that it could not ultimately "win" a war.

Presidential directives on such matters are milestones in the 35-year history of the atomic age. They have an important and immediate impact on U.S. military policy and thinking.

Presidential Directive No. 59 is understood to have been signed within the past two weeks by Carter after being developed by the staff of the National Security Council and top military and civilian defense officials. The idea behind the shift in strategy actually is not new, having evolved over several years. Former secretary of defense James Schlesinger talked openly about it in 1974 and the current secretary, Harold Brown, has also referred to the need for what he calls a "countervailing" strategy in his last two annual reports to Congress on the U.S. defense posture. What is new, however, is that there is now an updated presidential directive in force, empowering the bureaucracy to do more about putting these ideas into the country's war plans.

And, it comes at a time when the United States has the beginnings of more accurate new weapons and will soon have better ways to control and target them than it did six years ago, officials say. This makes the strategy more feasible now, they claim. Several factors went into the new directive, these officials explain. For much of the past two decades the United States has relied on having enough nuclear might to smash all major Soviet cities and industries, even after absorbing a first strike by Moscow, so that the Soviets would be deterred from such an attack in the first place. This was called by the appropriate name of MAD, for mutual assured destruction. It still is a major part of U.S strategy. But as the Soviet missile force grew larger than the U.S force and as its accuracy improved, the Soviets not only could threaten U.S but U.S land-based missiles as well. Furthermore, an appreciation grew among some specialists in this country that Soviet military doctrine did not necessarily accept the idea that a nuclear war could have no winners. Thus, it is reasoned here, no matter how a nuclear war should start, the Soviets might still think that with their large atomic and conventional forces and civil defense program they could carry on longer than the West, and therefore reap some spoils. Under the new strategy, the United States might no longer just fire a warning shot or an all-out salvo. Rather, it might try to quickly destroy tank divisions, military command centers and perhaps underground shelters housing show that the thrust of the U.S. response would not be just to kill Soviets but to prevent military victory. The United State, officials say, has always been able to hit some military targets but is now in a better position to do this because new, more accurate weapons, such as the Navy's Trident I submarine-launched missile, are now entering service along with the MK 12a warhead for the land-based Minuteman III force. Beyond that, new air-launched cruise missiles with advertised high accuracy are also to be deployed soon. But in order to carry out this new strategy with any precision or success, the United States would have to know the location of likely targets

in the midst of undoubted chaos. This would require sophisticated spy satellites and other kinds of intelligence gathering and a secure communications system. Sources suggest the United States doesn't have enough of this to do the job at this time, but the directive also is supposed to give impetus to acquiring it. This desired flexibility, one official said, "is more an aspiration than a reality now. But unless at some point somebody decides to do it, the problem never gets solved." The timing of the new directive would also seem to have a political target in this country -- Ronald Reagan -- with the administration seeking to show it is moving to improve U.S. Defense though it came to office claiming it would cut defense spending. Nevertheless, Carter, a number of officials claim, has shown more active interest in U.S. nuclear planning and in how those forces are controlled by the president than most of his recent predecessors. His chief national security aide, Zbigniew Brzezinski, has also been talking for some time about the need for new strategies and crisis management tactics to meet the changed strategic balance the United States now faces in the 1980s.

The New York Times

August 6, 1980, Wednesday, Late City Final Edition

**CARTER SAID TO BACK A PLAN FOR LIMITING ANY NUCLEAR WAR
'DETERRENCE'**

**TERMED FOR THE AIM: NEW STRATEGY WOULD STRESS STRIKES
ON MILITARY OBJECTIVES RATHER THAN CITIES, OFFICIALS SAY**

BYLINE: By RICHARD BURT

SECTION: Section A; Page 1, Column 1; Foreign Desk

LENGTH: 1345 words

DATELINE: WASHINGTON, Aug. 5

The Carter Administration has adopted a new strategy for nuclear war that gives priority to attacking military targets in the Soviet Union rather than to destroying cities and industrial complexes, Government officials said today.

The revised policy, the officials said, requires American forces to be able to undertake precise, limited nuclear strikes against military facilities in the Soviet Union, including missile bases and troop concentrations. They said it also calls for the United States to develop the capacity to threaten Soviet political leaders in their underground shelters in time of war.

Previous Policy Called Unrealistic

The policy, reportedly approved last week by President Carter after almost four years of debate, contrasts with the policy adopted in the 1960's that relied on the threat of the destruction of Soviet cities to deter a major war. Administration officials asserted that giving American forces the capacity to undertake limited nuclear strikes against Soviet military facilities would lessen the likelihood of a major war because it would deter Moscow, in any future crisis, from

launching pinpoint nuclear attacks of its own. "The whole point is to deter," said one official.

"There is no question that we need the capacity to destroy Soviet cities and industry. But as the Soviet Union has achieved the ability to threaten our land-based missiles [sic.] and other strategic forces, we have concluded that we need a similar capability."

Prolonged Nuclear War

Mr. Carter, acceding to this view, is said to have signed a document known as Presidential Directive 59 that asserts that the best way to prevent a major conflict with Moscow is to be capable of waging a prolonged but limited nuclear war. Government specialists maintain that the Soviet Union has long been committed to acquiring such a nuclear capability. Officials said Mr. Carter's new directive had received strong backing from Secretary of Defense Harold Brown and

Page 1

Zbigniew Brzezinski, Mr. Carter's national security adviser. The officials said neither the State Department nor the Arms Control and Disarmament Agency had been involved in formulating the strategy.

The concept of threatening military targets with nuclear weapons rather than cities has been criticized by some nuclear experts because, in their view, it could make a nuclear war more likely. They assert that, if both Washington and Moscow obtain a "first strike" capability against each other's military forces, the pressures for both sides to launch their missiles in a severe crisis would become intense.

Critics of "limited war" nuclear strategies also maintain that the plans would require much larger and more sophisticated forces than now exist. In addition to a new \$34 billion mobile missile, they contend that the United States would be forced to spend billions not only on a new

submarine-launched rocket able to hit military targets but on new reconnaissance and communications gear to allow the Pentagon to engage in precision nuclear warfare.

Help in Election Campaign

The Republican Party, in its platform adopted last month in Detroit, endorsed a "clear capability to destroy military targets," and some officials believe that the new Administration policy will aid Mr. Carter in the coming Presidential campaign.

At the same time, officials expect that the policy will come under attack from the liberal wing of the Democratic Party, and aides said that an announcement of the new strategy had been postponed until after next week's Democratic National Convention in New York City. Secretary Brown, they said, is scheduled to announce the strategy change in a speech at the United States Naval War College in Newport, R.I., at the end of the month.

Several officials said that the new policy could not be carried out without the Air Force's proposed new mobile missile, the MX, and associated improvements in military command, control and communications capabilities. Two hundred Air Force MX missiles, equipped with 10 multiple warheads each, would be designed to survive any Soviet first strike attack and to retaliate against Soviet rocket silos and other military targets.

No Prior Hint of Policy Change

Although officials said that the effort to revise nuclear policy was initiated by Mr. Brzezinski early in 1977, Mr. Carter and a number of senior officials gave little indication in public statements that a substantial shift in nuclear strategy was under way. Officials said that many of the details of the new strategy were worked out in a 1978 report for Secretary Brown prepared by Leon Sloss, a former Pentagon official who now heads the Washington activities of SRI

International, a California-based research organization. Mr. Carter, in an interview with The New York Times in 1976, before he took office, said he did not believe it was possible for Washington and Moscow to fight a limited nuclear war. Later, in his State of the Union Message in January 1979, Mr. Carter said "our deterrent is overwhelming" and added:

"Just one of our relatively invulnerable Poseidon submarines, comprising less than 2 percent of our total nuclear force, carries enough warheads to destroy every large and medium-size city in the Soviet Union."

But officials reported that over the last three years, Mr. Brown, Mr. Brzezinski and other senior national security aides gradually reached the conclusion that Moscow did not accept Washington's concept of mutual deterrence and that the United States needed to be able to fight a small-scale nuclear war. Officials said the policy finally adopted by Mr. Carter contained the following changes in nuclear policy: - Prime nuclear targets are to be Soviet military forces and the country's political leadership. While an official stressed that American missiles and bombers would still be able to destroy Soviet cities and industrial facilities, he said that special emphasis would be placed on threatening "the targets the Soviet leadership values most: its military forces and its own ability to maintain control after a war starts." To attack military targets and Soviet civilian and military leaders in underground bunkers, the official said, the United States needs highly accurate systems such as the MX rocket and new air-and ground-launched cruise missiles. - The possibility of fighting a prolonged nuclear war, lasting weeks and even months, is envisaged. Officials [sic.] said that the new directive called for the creation of a "secure strategic reserve," a missile force that would not be used in the early phases of a conflict and could thus deter Moscow from launching a major nuclear strike later on. The secure missiles, they said, would have to be invulnerable to attack and United States leaders would have to be able to

communicate with the force in the event of a prolonged war.- Emphasis is placed on the ability to find new targets and destroy them once a war begins. At present, nuclear targets in the Soviet Union are listed in a highly secret document known as the Single Integrated Operations Plan, which is kept at the headquarters of the Strategic Air Command in Omaha, Neb. Under the revised strategy, new targets could be added in wartime to the plan when they were detected by reconnaissance satellites and other intelligence systems.

The revised strategy is almost certain to enliven the debate on nuclear policy that has proceeded since the late 1940's. In the 1950's, the United States, then far and away the leading nuclear power, adopted the so-called massive retaliation strategy, which held out the possibility of countering Soviet conventional thrusts with nuclear retaliation. While concern over the vulnerability of American missiles is generally shared among military experts, some maintain that it is unnecessary for the United States to acquire the capacity to destroy Soviet missiles.

The New York Times

August 7, 1980, Thursday, Late City Final Edition

NEW NUCLEAR STRATEGY: AN INEVITABLE SHIFT;

News Analysis

BYLINE: By RICHARD BURT, Special to the New York Times

SECTION: Section A; Page 3, Column 4; Foreign Desk

LENGTH: 916 words

DATELINE: WASHINGTON, Aug. 6

President Carter's decision to revise American nuclear weapons strategy appears to be an almost inevitable product of advances in military technology, domestic political pressures and the momentum of the Soviet strategic buildup over the last decade. The new policy emphasizes that American missiles and bombs need to be able to make pinpoint nuclear strikes against military targets in the Soviet Union. In so doing it seems to challenge the popular understanding that mutual deterrence between Washington and Moscow was based on the two sides' ability to destroy each other's largest cities. As described by Government officials, the new policy, known as Presidential Directive 59, also seems to reject Mr. Carter's earlier skepticism about acquiring the ability to wage a "limited" nuclear war, that is, one that would not necessarily develop into all-out mutual destruction. Actually, however, pressure had been building on the White House since the early 1970's to shift American nuclear strategy away from reliance on the threat of all-out retaliation.

Debate Received Little Attention

The debate over American nuclear strategy has received little attention because it is conducted for the most part in esoteric terms among a small cluster of scientists, academicians and

Government specialists who have dealt with sensitive strategic issues since the late 1940's. While highly technical, however, this debate over nuclear deterrence has had a significant effect on military budgets, the kinds and numbers of nuclear systems acquired by Washington and perhaps even the likelihood of war with the Soviet Union. At the center of the debate has been the question of what types of nuclear threats are most likely to deter the Soviet Union from committing large-scale aggression. Through most of the postwar period American leaders, together with many nuclear analysts, endorsed the view that Soviet attacks against the United States and its key allies could be deterred by threatening retaliatory nuclear strikes against major Soviet cities and industrial complexes. However, Mr. Carter's decision to give priority to Soviet military targets seems to mark the culmination of an idea that was articulated in the early 1970's when Secretary of Defense James R. Schlesinger said that the United States needed "selective strategic options" for attacking the Soviet Union. Mr. Schlesinger and other conservative military thinkers asserted that in the face of growing Soviet strategic power, the threat of all-out nuclear retaliation against Soviet cities was losing its credibility as a deterrent.

Contrast With McNamara Policy

Mr. Schlesinger's arguments contrasted with the policy formulated in the 1960's by Secretary of Defense Robert S. McNamara, which emphasized the importance of being able to threaten the Soviet population and industry. Known as "mutual assured destruction," Mr. McNamara's strategy held that neither Moscow nor Washington would be tempted to start a war as long as each side's major cities were vulnerable to nuclear attack. Mr. Carter, when he became President in 1977, appeared, along with most of his senior advisers, to endorse Mr. McNamara's concept and expressed wariness over the views associated with Mr. Schlesinger. In retrospect, however, officials cite several factors in arguing that Mr. Carter was bound to embrace a policy of

preparing to fight a "limited" nuclear war. First, officials contend that recent Soviet military developments have raised serious questions over whether Moscow accepts the notion of mutual deterrence. The apparent Soviet drive to acquire a "first strike" capability against American land-based rockets has led many specialists to conclude that Moscow is also working toward the capacity to fight a "limited" nuclear war. As a result, though many officials doubt that a nuclear war could be kept limited, they contend that if Soviet leaders believe it was possible the United States is obliged to match Moscow's moves in order to preserve deterrence.

Politics Called a Factor

Politics is also said to have been a factor in Mr. Carter's decision. As a result of his earlier decisions to cancel production of the B-1 bomber and the neutron bomb, White House aides acknowledged that Mr. Carter had become vulnerable to criticism from Ronald Reagan, the Republican Presidential candidate, for being "soft" on defense. The Republican Party, in its platform last month, called for a nuclear strategy of the sort adopted by Mr. Carter, and political aides suggest that the new policy should help deflect Mr. Reagan's charges on military issues during the forthcoming Presidential [sic.] campaign. Scientific aides in the Pentagon said that a third reason for the strategic shift was the advance of technology. They noted that the country's existing nuclear forces, land- and sea-based ballistic missiles as well as B-52 bombers, were developed almost 20 years ago and lacked the accuracy to threaten small military targets such as Soviet missile silos. But new American weapons planned for the 1980's, such as the Air Force's MX mobile rocket and air-launched cruise missiles, would be able to undertake more precise attacks.

The New York Times

August 8, 1980, Friday, Late City Final Edition

**SOVIET CALLS THE U.S. STRATEGY SHIFT ON NUCLEAR WAR AN
'OMINOUS' SIGN**

BYLINE: By ANTHONY AUSTIN, Special to the New York Times

SECTION: Section A; Page 6, Column 4; Foreign Desk

LENGTH: 793 words

DATELINE: MOSCOW, Aug. 7

The reported shift of American nuclear strategy to one of acquiring the ability to fight a prolonged nuclear war focusing on highly specific military and political targets is an "ominous" sign of a "loss of common sense," a Pravda commentator said today.

Quoting briefly from a New York Times report of such a shift, the Soviet Communist Party's principal paper added its comment in an article by one of its writers on international affairs, Boris Orekhov. The article declared that the essence of the new strategy was "the threat of a first strike against military objectives in the Soviet Union." Pravda said: "This flare-up of war psychosis in Washington can only be explained by a loss of common sense, a weakening of the sense of reality."

The Times report said the Carter Administration had reportedly adopted a new strategy under which priority would be given to targeting Soviet military installations rather than cities. The report said the thinking behind the change was that because Soviet nuclear prowess had grown so significantly since the 1960's, the threat of destroying urban centers was no longer enough of a deterrent. Secondly, A second reason was that the United States felt the best way to prevent a

major conflict with the Soviet Union was to acquire the capability to wipe out selected portions of the Soviet nuclear arsenal in a prolonged but precisely focused war. 'Bewildered Questions' It was "strange," the Pravda commentary continued, to see the new strategy coupling the concepts of "prolonged" and "limited" nuclear war - "a combination," it said, "that should give rise to bewildered questions."

It was significant, the paper added, that both the State Department and the Arms Control and Disarmament Agency had been excluded from the preparation of what it called a "strategy of nuclear adventurism" and that its authors included "those familiar faces," Zbigniew Brzezinski, the White House national security adviser, and Defense Secretary Harold Brown. Pravda said that Presidential Directive 59, the document that is said to embody the new strategy, was a prescription not for preventing a major conflict with Moscow, as its authors assert, but for stimulating the nuclear arms race, with all its consequences. In that sense, the paper argued, citing another New York Times report that President Truman had twice considered threatening the Soviet Union with nuclear attack in 1952, the new strategy is not "new" but "the same old urge to nuclear blackmail."

There is "only one way" to solve the problem of preventing conflict, Pravda said, and that is "by preserving detente and all the good that the 1970's gave us."

'Ominous Contents of Directive'

Citing the pledge to work for an end to the arms race that was included in the Soviet-American communique of June 1979, when the two nations signed their second strategic arms agreement in Vienna, Pravda asked: "How can these beautiful words be reconciled with the ominous contents of Directive No. 59?" It then noted that some sources in Washington, according to The Times, felt Mr. Carter's new course would help him in his re-election struggle. "If that is really so,"

Pravda observed, "one can only have pity for the authors of such calculations - and even more pity for the American voters."

The Times report on the new strategy was received with keen interest in Moscow, both among Soviet officials and commentators who must deal with such matters and Western analysts who follow Soviet strategic doctrine. Among Westerners, there was divided opinion on the apparent assumption of the makers of the new strategy that the Soviet leaders believe they can fight and prevail in a nuclear war, and that the United States must therefore adopt a similar strategy.

Policy of Last Resort

There are passages in Soviet military writing that suggest that the Soviet leaders believe they can hit the United States hard enough and shield their own country well enough to "win," even though their losses would be tremendous. The conclusion drawn by some Western experts is that the Soviet leadership envisages waging nuclear war as a practical policy of last resort.

Other Soviet military essays suggest strongly that the leaders do not believe nuclear war can be "won" except in the Pyrrhic sense, or can be a real policy instrument. Those Western experts who emphasize these statements regard the other kind, the declarations that nuclear war can be won, as devised by the Soviet military to maintain the morale of their troops, or as theoretical contingency planning.

The New York Times

August 10, 1980, Sunday, Late City Final Edition

MUSKIE WASN'T TOLD OF NEW WAR POLICY BEFORE IT WAS SET

BYLINE: By BERNARD GWERTZMAN, Special to the New York Times

SECTION: Section 1; Part 1; Page 1, Column 6; Foreign Desk

LENGTH: 1186 words

DATELINE: WASHINGTON, Aug. 9

Secretary of State Edmund S. Muskie said last night that he learned about President Carter's decision to revise American nuclear war strategy only when he read news reports about it.

Talking with unusual candor to half a dozen reporters on his Air Force plane returning from speaking engagements in California, Mr. Muskie said that a matter with such important foreign-policy implications should have been discussed with him before the President acted. He said he was trying to find out what happened - why he was bypassed by the President, Secretary of Defense Harold Brown and Zbigniew Brzezinski, the national security adviser.

Briefing Is Arranged Next Week

Mr. Muskie, speaking without anger as he stood in the aisle talking over the din of the engines, said he telephoned Mr. Brown from Los Angeles Thursday to ask for a thorough briefing on details of the President's policy decision, included in a document known as Presidential Directive 59, which was reportedly signed last week. He said Mr. Brown told him a briefing could be arranged next week. An aide to Mr. Brown said today that the Secretary telephoned Mr. Muskie, who is in Maine, to discuss Mr. Muskie's concerns. Mr. Brown learned of his comments after a reporter called seeking comment. The aide said Mr. Brown explained in detail the background of the Presidential directive, including the fact that State Department officials had participated in

discussions on the policy between November 1978 and May 1979. Mr. Muskie succeeded Cyrus R. Vance on April 29. "From the point of view of the Defense Department, we think the matter is resolved," the aide said. There was no immediate comment from Mr. Brzezinski's office.

Military Targets Get Priority

Reports of the change in American strategy appeared in The New York Times and The Washington Post Wednesday, the day Mr. Muskie left on his trip to Los Angeles and San Francisco. The articles said Mr. Carter had adopted a strategy giving priority to attacks on military targets in the Soviet Union rather than on cities and industrial complexes. Mr. Muskie, who said that as far as he knew the articles were accurate, maintained that he could not really comment on the policy until he had had a detailed briefing. This was Mr. Muskie's first public sign of discontent with the way the Administration is being run, but he was careful not to blame any individual or to fan speculation about rivalry with Mr. Brzezinski, whose disagreements with Mr. Vance were well-known.

Frozen Out of Discussions

The former Maine Senator's complaints were not so much over the policy as over being frozen out of discussions of it. Such a policy is a major concern for America's allies and has an impact on relations with the Soviet Union, and Mr. Muskie believes the Secretary of State should be actively involved. Administration officials said today that after the disclosure of the new strategy some State Department officials were briefed while Mr. Muskie was in California so that they could discuss the policy with allied governments. Mr. Muskie said that as far as he has been able to find out, the State Department was involved in early interagency discussions about the new strategy but that in recent months, including his time in office, no effort was made to bring him into the discussions. He does not know if the policymaking machinery was at fault or if there was

some infighting against him personally. In general Mr. Muskie appeared unhappy about the policymaking machinery of the Carter Administration. His main complaint is that he believes that inadequate time is given to discussion of critical foreign and security issues by the President and his top advisers. The principal vehicle for such discussion is what is known as the Policy Review Committee, a Cabinet-level group headed by the Cabinet officer most concerned with the issue under discussion. Mr. Muskie said that such meetings usually lasted no more than an hour or so and that he was trying to make them longer to allow genuine discussion. He maintained that he was told by a regular participant in the sessions that before he joined the Administration they were a charade. Another vehicle for decisions in the Administration is the regular weekly luncheon meetings involving Mr. Muskie, Mr. Brown and Mr. Brzezinski. Mr. Muskie said an agenda often had up to 25 items to be discussed and decided upon during an hour or two, which he said this was not enough time for serious debate.

Departments Often Are Rivals

The Secretary of State seemed more concerned about his department's longtime rivalry with the Pentagon than with problems with Mr. Brzezinski. He said that Pentagon representatives around the world were constantly discussing matters that have foreign policy implications and that it was important to have better coordination. Twice during the speaking tour, Mr. Muskie made slips of the tongue in which he ended up describing himself as Secretary of Defense. An aide suggested that this was because he was so concerned about the revision of war policy strategic, which he feels was pushed through largely by Mr. Brown with the strong encouragement of Mr. Brzezinski. Other officials said Mr. Brzezinski was actually more the driving force and succeeded in winning Mr. Brown to his side. One slip occurred in San Francisco when Mr. Muskie was asked during a question-and-answer period about his relations with Mr. Brzezinski.

Muskie Plans a Lot of Travel "My concerns about coordinating foreign policy go far beyond Dr. Brzezinski and the National Security Council staff," he replied. "We've had no confrontations up to this point. It's conceivable that we might because we're both strong-minded individuals. We both have definite ideas. We both seek access to the President, and it's my job to see that the Secretary of Defense doesn't take second place." Differences between the State and Defense Departments have always existed, with the Pentagon usually more concerned with enhancing American defense interests and State having other concerns. The National Security Council staff operation was established in the 1950's in part to give the State Department more of a role in military matters by providing a forum for its views before a policy decision is made. During the speaking tour, the first of several out-of-town trips planned by Mr. Muskie to take to promote Administration policies and rebut Republican criticism, he was often quite partisan in tone. He acknowledged that his remarks raised questions about whether his trips should be labeled political, with the Democratic National Committee being asked to pay the costs. Mr. Muskie said he would seek legal guidance when he returned to Washington. This weekend he is at his home in Kennebunk, Me. Mr. Muskie was asked how he could call for more discussion of foreign policy questions and yet be away from Washington a good deal of the time. He replied that he planned to use the trips to build up a public constituency for his views and that this would be beneficial over the long run.

The New York Times

August 11, 1980, Monday, Late City Final Edition

BYLINE: By RICHARD BURT, Special to the New York Times

SECTION: Section A; Page 1, Column 2; Foreign Desk

LENGTH: 899 words

DATELINE: WASHINGTON, Aug. 10

In an effort to reassure allied governments about President Carter's new nuclear arms strategy, Secretary of Defense Harold Brown has told the defense ministers of the North Atlantic Treaty Organization that the United States has "no desire to fight a nuclear war." In a diplomatic note sent Friday, Mr. Brown told them that the Administra-

Text of Brown's message, page A9.

tion's new strategy was an "evolutionary development" and not "a major break with past policies." He said that Mr. Carter's policy, contained in a document known as Presidential Directive 59, was "designed to enhance deterrence of any Soviet action that could lead to a nuclear war by making clear that we have both capabilities and plans for use of our forces, if deterrence fails."

Muskie Not Informed

The message was made available today as officials sought to soften the confusion generated by the disclosure last week that the Administration had adopted a strategy giving priority to attacks on military targets in the Soviet Union rather than cities. At the Pentagon, Defense Department officials responded to Secretary of State Edmund S. Muskie's concern over not being informed of the strategic [sic.] shift by reporting that it had been discussed extensively within the Government for more than two years. They said that ranking State Department officials had

taken part in these discussions and expressed surprise that Mr. Muskie had not been briefed on the matter. They added that they expected the confusion over the nuclear policy within the Administration to be cleared up later this week, when Mr. Brown is scheduled to discuss the matter with Mr. Muskie.

Attacks at Convention Expected

At the same time, officials expressed concern that the nuclear policy could set off a debate this week at the Democratic national convention in New York, where supporters of Senator Edward M. Kennedy are expected to attack Mr. Carter's military policies in debates on the party platform. In particular, White House aides expect the Kennedy forces to criticize the nuclear policy in line with a campaign against the Administration's proposed new mobile intercontinental missile, the MX. Equipped with multiple warheads, the MX would give the United States the ability, for the first time, to threaten almost all of the Soviet Union's land-based missiles.

In its platform approved last month in Detroit, the Republican Party said the United States needed "a clear capability" to destroy missile silos and other military targets in the Soviet Union. However, Mr. Kennedy's supporters and others in the Democratic Party have long argued that it would be dangerous to acquire such a capability because Washington and Moscow, in a crisis, might be tempted to launch their missiles before they were struck by those of the other side.

This argument, officials said, would probably be used to muster support in the Democratic convention against President Carter's proposal for the MX. Mr. Kennedy's supporters, the officials added, would probaly [sic.] succeed in putting an anti-MX statement in the platform.

Sensitive Issue in NATO

Officials are also concerned about the political impact of the nuclear policy on the Western alliance. Nuclear strategy is a sensitive issue within NATO, and West European governments have frequently accused Washington of failing to consult them on important strategic decisions. In addition, some West European leaders, such as Helmut Schmidt, the West German chancellor, are known to be concerned about what they view as the growing anti-Soviet tone of American foreign and military policy. State Department officials thus expect some European politicians to argue that the strategic shift could lead to further tensions in relations with Moscow.

The officials said that the Administration had planned to inform allied governments of Mr. Carter's decision later this month, before Mr. Brown was scheduled to announce the policy publicly in a speech on Aug. 20. But the disclosure of the policy last week in the press caught the Administration off guard, they said, and allied governments received no warning. According to Mr. Brown's message on Friday, the outlines of the Administration's new strategy were discussed with allied military leaders in June, at a meeting of NATO's Nuclear Planning Group in Norway. American officials present at the meeting said that Mr. Brown briefly described the "countervailing strategy" and was asked few questions about the policy. In his message, Mr. Brown argues that "it is crucial that the Soviet leadership recognize that by aggression they would risk not only a general U.S. retaliation on the full range of targets; they must also understand that if they choose some intermediate level of escalation, the U.S. could by more limited responses impose on the Soviets an unacceptably high cost in terms of what the Soviet leadership values most - political and military control, military power both nuclear and conventional, and the industrial capacity to sustain military operations." At the same time, Mr. Brown says "we have no desire to fight a nuclear war; it would be an unimaginable catastrophe."

"But the surest way to avoid such a war," Mr. Brown adds in the message, "is to make certain that the Soviet leadership can have no illusions about what such a war would mean for Soviet state power."

The New York Times

August 12, 1980, Tuesday, Late City Final Edition

**DEFENSE DEPT. SENDS AIDE TO BRIEF MUSKIE ON NUCLEAR
STRATEGY POLICY**

BYLINE: By BERNARD GWERTZMAN, Special to the New York Times

SECTION: Section A; Page 10, Column 3; Foreign Desk

LENGTH: 698 words

DATELINE: WASHINGTON, Aug. 11

Secretary of Defense Harold Brown sent a special representative to Maine today to brief Secretary of State Edmund S. Muskie on a two-week old Presidential directive on nuclear war strategy, in an effort to defuse a potentially divisive issue for the Carter Administration.

Mr. Muskie, who is spending a long weekend at his home in Kennebunk, complained Friday night to reporters that the new directive had been signed by President Carter without his even knowing it existed. Mr. Muskie said that he first learned of the document, known as Presidential Directive 59, when articles on it appeared in the press last Wednesday. The State Department confirmed today that none of its officials knew of the directive ahead of time, and none had been consulted on the policy since late last year. Mr. Muskie said he would not comment on the new policy until after he had been briefed, but he said he believed he should have been asked for his views before Mr. Carter signed the directive. Senator Edward M. Kennedy, in New York for the Democratic National Convention, used Mr. Muskie's complaints as further evidence of the Carter Administration's inconsistencies. "I think it is this kind of lurching that is troublesome to our allies and our adversaries," the Massachusetts Democrat said.

Brown Sought to Mollify Muskie

Following publication of Mr. Muskie's comments, Mr. Brown telephoned him on Saturday and sought to mollify him, officials said today. Walter Slocombe, the Deputy Under Secretary of Defense for Policy, who was involved in formulating the new directive, went to Kennebunk today at Mr. Brown's request to brief Mr. Muskie. In addition, David C. Gompert, a Deputy Director of the State Department's Bureau of Politico-Military Affairs, will fly to Maine tomorrow to consult with Mr. Muskie before the Secretary goes to New York to attend the convention.

Jody Powell, the White House spokesman, said in New York that it was a mistake for Mr. Muskie not to have been informed about the new directive before it appeared in the press. "Obviously, you don't want the Secretary of State to deal in public with something he's not familiar with," he said in a telephone interview. He said it was "inadvertent" that a briefing was not arranged before reports of the directive appeared in The New York Times and The Washington Post last week.

But Mr. Powell refused to comment on Mr. Muskie's main concern, that an issue with foreign policy implications was decided without his being asked for an opinion. Mr. Powell said he did not know enough about the directive to give an opinion, but said that the State Department was not usually involved with nuclear strategy.

Decision Not Mentioned

Yesterday, Defense Department officials asserted that Mr. Muskie was in fact told of the Presidential directive last Tuesday by Mr. Brown during the weekly lunch the two men have with Zbigniew Brzezinski, the national security adviser. But John H. Trattner, the State Department spokesman, denied that that was the case. He said today that at that lunch, Mr. Brown told Mr. Muskie only that he wanted to brief him sometime on nuclear targeting strategy, without

mentioning that any decision had been made. Today, an aide to Mr. Brown agreed with Mr. Trattner and said that a new inquiry showed that Mr. Muskie was correct in saying he had not been informed ahead of time.

Both Mr. Trattner and Mr. Powell said that the new directive represented an "evolution" in policy and not a drastic shift in strategy. Mr. Trattner said that Mr. Muskie believed "this particular situation is being rectified" by his being briefed. Left unclear was whether Mr. Muskie will succeed in winning any commitment from President Carter that would allow him to be involved more closely in national security matters. State Department officials said that the Department was consulted on nuclear strategy in 1978 and 1979, but for reasons unknown to them it was not invited to comment on the final decisions that preceded Mr. Carter's signing of the new directive. Most discussion on the directive was conducted entirely between Mr. Brown's and Mr. Brzezinski's offices, they said.

The New York Times

August 12, 1980, Tuesday, Late City Final Edition

**DEMOCRATS BACK CARTER ON NOMINATION RULE; KENNEDY
WITHDRAWS FROM PRESIDENTIAL RACE**

BYLINE: By RICHARD BURT, Special to the New York Times

SECTION: Section A; Page 1, Column 1; National Desk

LENGTH: 1059 words

DATELINE: WASHINGTON, Aug. 11

President Carter has ordered more effective procedures for protecting civilian and military leaders in event of nuclear war, including plans for the rapid evacuation of key Government personnel from Washington to airborne and underground command posts, officials said today. The officials said that the order, Presidential Directive 58, complemented a new nuclear targeting strategy disclosed last week. The strategy gives priority to pinpointing military and political targets in the Soviet Union rather than cities. In an effort to head off a potentially divisive conflict in the Administration, Secretary of Defense Harold Brown sent a special messenger to Secretary of State Edmund S. Muskie in Maine to explain the new targeting strategy. Mr. Muskie complained on Friday that he had not even known of the existence of the directive when it was signed by Mr. Carter.

(Page A10.)

Aim Is to Strengthen Deterrence

The order on governmental protection, together with the targeting strategy, known as Presidential Directive 59, is said to be part of an effort to strengthen nuclear deterrence by convincing the Soviet Union that the United States could wage an extended nuclear conflict. Officials said the

directive on protection was concerned with maintaining the "continuity of government." It is said to call on the Defense Department and other agencies to study the capacity of the government, from the President on down, to withstand a nuclear strike. The measures, which officials are reluctant to discuss in detail, are said to include plans for moving military and political leaders out of Washington; hardened shelters for personnel and equipment, and the creation of a network of command posts for military and civilian leaders in time of war.

The policy is said to complement a third order by Mr. Carter, Presidential Directive 53, which instructs the Government to work with private industry to improve military communications in event of a war. Officials said discussions had begun with the American Telephone and Telegraph Company and other concerns on steps to reduce the vulnerability of communications to nuclear attack. Officials said they expected the directive on communications to result in a more decentralized telephone system, using materials that were less sensitive to the effects of nuclear weapons. Since the early 1950's, the Government has prepared for the possibility of nuclear war by drawing up contingency plans for the protection and evacuation of the President and other personnel. Many plans are now obsolete, officials said. An aide said, for example, that a Soviet nuclear missile, launched from a submarine off the coast, could now strike Washington with only 10 minutes' warning. "We've spent years worrying about the vulnerability of our missile forces to a Soviet first strike," the official added, "but until recently, nobody thought about the vulnerability of our Government." While existing procedures are secret, it is known that several underground shelters, stocked with food and other supplies, have been built around Washington for use by officials. One of these bunkers, the Alternate Military Command Center, is situated at Mount Weather, 50 miles west of Washington. Another command post, built for the President in the 1950's, is buried under Raven Rock, at Fort Ritchie, Md., 65 miles from Washington.

However, in an era of highly accurate missiles, experts doubt that a President could survive a nuclear strike against an underground shelter. Accordingly, the priority plans call for Mr. Carter and top military officers to direct the course of a future war from an airborne command post, known by the code-name "Kneecap."

Other officials recalled that, shortly after President Carter entered office in 1977, there was a little-known exercise in which he was flown from the White House by helicopter to Andrews Air Force Base, where the Air Force maintains an airborne Presidential command post, a modified 747 airliner equipped with advanced communications gear. That exercise, the officials said, highlighted problems in the system for preparing for a nuclear war that the new Presidential directives are meant to address. In 1978, they added, the Pentagon conducted another exercise, known as "Nifty Nugget," that is said to have focused on the Government's ability to mobilize reserve forces and private industry in time of crisis.

The 1978 exercise is also reported to have shown important communications and organizational problems, and officials said the directives call for improved mobilization planning by both the Pentagon and the new Federal Emergency Management Agency. Although any nuclear conflict, no matter how small, would result in enormous damage, officials said, studies have shown that steps could be taken to reduce damage to both the government and the public. They said Programs for reducing civilian casualties in a nuclear war, concentrating mainly on urban evacuation, were under way as part of a 1978 directive on civil defense.

Officials said that the new directives called for the study of several approaches to coping with a nuclear attack: -

Hardening command centers and communications posts by placing them underground or protecting them with concrete. - Dispersing communications networks and making them redundant so that messages could continue to be sent after critical equipment was knocked out. - Improving warning and evacuation techniques. While refusing to discuss evacuation plans for the President and other top officials, aides said that new proposals for enhancing their protection in time of war were being examined. Describing these developments, officials said that Mr. Carter and his aides were not abandoning the traditional policy of nuclear deterrence. Rather, they said, by demonstrating the ability to engage in prolonged nuclear warfare, the United States would discourage the Soviet Union from ever contemplating a limited strike designed to knock out missiles, communications facilities and the upper echelons of the Government. At the same time, one official said, Mr. Carter's recent decisions "all added up to a more combative philosophy in dealing with the Soviets." "We are doing things now that a decade or so ago were an anathema to most people in this town," the official added.

The Washington Post

August 12, 1980, Tuesday, Final Edition

State Denies Being Informed in Final Phase of A-War Strategy;

Soviets Assail Carter Nuclear Plan as 'Insanity'

BYLINE: By Dusko Doder, Washington Post Foreign Service

SECTION: First Section; A2

LENGTH: 748 words

DATELINE: MOSCOW, Aug. 11, 1980

The Soviet Union today assailed President Carter's new nuclear strategy as an act of "insanity" conceived by persons "who have lost all touch with reality and are prepared to push the world" into nuclear war. The vitriolic attack by the official news agency Tass came after somewhat more restrained expressions of concern over the so-called presidential directive number 59, details of which surfaced in Washington last week. The Tass commentary said that "mounting waves of war hysteria are sweeping the White House," and that "things are now far more serious because President Carter, as it is reported, sanctioned the new nuclear strategy." Tass said the essence of the strategy is "the threat of striking a first blow at military installations in the Soviet Union."

The strategy, as reported in Washington, involves gradually changing the U.S. nuclear arsenal's targets from Soviet cities and industrial centers. It would put greater emphasis on smaller scale attacks that would destroy Soviet military forces and command centers. The new strategy relies heavily on new, more accurate nuclear weapons, and would in theory make possible a nuclear exchange short of total war. The strategy, evolved over the past three years inside the Carter administration, in effect replaces the strategy of Mutual Assured Destruction, or MAD, according to which any nuclear exchange would unleash a total retaliatory blow aimed at

the destruction of some 200 Soviet cities. Tass called the administration plan "an obvious and extremely dangerous playing with fire." Another Tass commentary said that as a result "the Soviet Union will have to draw the necessary conclusions." One conclusion, Tass said, is that the concept of "limited nuclear war" Carter has advanced will inevitably lead to an accelerated arms buildup. "It would be naive to think that the Soviet Union will stand idle while the nuclear weapons are being perfected" in the United States, Tass said. But a broader conclusion implicit in attacks on "the insane steps of the Carter administration," Tass said, is that they may have a lasting negative impact both on arms control efforts and on Soviet-American relations in general. The sharp tone of today's commentaries reflected growing anxiety here that the United States may be moving away from the policy of nuclear parity that has been the basis of Soviet-American strategic arms limitation talks for a decade, and that Moscow may be confronted with new strains on its military budget regardless of the outcome of the U.S. presidential elections. Thus far, arms talks have been conducted on the assumption that the use of nuclear arms was "inconceivable" since such use would lead to an all-out war between the two superpowers. Attacking what it called "the blood-thirsty plan for a nuclear attack on another state," Tass said: "All these actions are sanctioned by the president of the United States, the very president who signed in Vienna a year ago the Soviet-American communique that stressed that there is no task at present more important and urgent for mankind than that of ending the arms race and preventing war. "It must be said outright that only rabid militarists who have lost all touch with reality and are prepared to push the world into the abyss of nuclear holocaust for the sake of implementing their imperial strivings can conceive and sanction such plans now." Tass' comment made no reference to the U.S.-Soviet dispute over Moscow's invasion of Afghanistan or to

Carter's stated reasons for his policy shifts toward the Soviet Union. Another Tass dispatch tonight sought to play up the reported differences between Secretary of State Edmund Muskie and national security advisor Zbigniew Brzezinski and Defense Secretary Harold Brown. Tass identified Brzezinski and Brown as the architects of the strategic shift, while it said Muskie, as a senator, had opposed "a similar reconsideration of the nuclear strategy." The fact that Muskie learned about the strategic change from press reports, Tass said, "corroborates the general opinion" that Brzezinski enjoys "too great influence" in the shaping of U.S. foreign policy. The tone of today's Tass comments suggested that Moscow regarded the policy shift as a serious matter likely to increase tensions in its relations with Washington. The shift, it said, "can be explained only by the loss of common sense and the sense of reality in Washington."

The Washington Post

August 12, 1980, Tuesday, Final Edition

**State Denies Being Informed in Final Phase of A-War Strategy;
Participation Ended 'Last Year'**

BYLINE: By Don Oberdorfer, Washington Post Staff Writer

SECTION: First Section; A2

LENGTH: 642 words

The State Department said yesterday that neither Secretary of State Edmund S. Muskie nor any other department official had been involved or informed in the final stages of President Carter's decision to order a modified U.S. strategy in a nuclear war with the Soviet Union. Spokesman John Trattner, in the latest episode of a controversy over what Muskie knew or should have known about the new military doctrine also said it was "an accident of timing" that the secretary of state was not informed of the president's decision before it appeared in the press. In an attempt to defuse Muskie's unhappiness over the issue, Deputy Assistant Secretary of Defense Walter Slocombe, one of those most intimately involved in the nuclear doctrine, flew to Maine and briefed the secretary of state yesterday.

The acting chief of the State Department's Bureau of Political-Military Affairs, David C.

Gompert, will present the Foggy Bottom view to Muskie at his home in Maine today.

White House press secretary Jody Powell, said it was "a coincidence based on his schedule" that Muskie had not been briefed before newspaper stories on the U.S. strategic doctrine appeared last Wednesday. But Powell was uncertain whether Muskie should have been involved in the final decision on Carter's directive, saying that this is a question that can only be answered by the president and his secretary of state. White House, Defense Department and State Department

officials all agreed that the presidential directive reflected a process of evolutionary development of U.S. war plans, rather than a sudden change, and that the State Department had been involved in interagency discussions in 1978 and 1979 as the directive took shape. The State Department spokesman said, however, the "our last participation was toward the end of last year." Trattner added that nobody in the State Department had been aware that a presidential decision was imminent or had been made.

Carter's order, Presidential Directive 59, was signed July 25, according to official sources. The first that Muskie learned of it was in a conversation with Secretary of Defense Harold Brown and presidential assistant Zbigniew Brzezinski over lunch Aug. 5. At that time, according to various officials, Brown offered Muskie a briefing on the directive. By his own account, however, Muskie did not get the impression that a presidential decision already had been made. Press reports of the presidential decision appeared the next day in The Washington Post and The New York Times. Muskie was visibly upset when asked about the matter by reporters on his plane en route to California later in the day and appeared particularly concerned by a statement in the Times account that "neither the State Department nor the Arms Control and Disarmament Agency had been involved in formulating the [nuclear war] strategy." It was still unclear yesterday why the State Department had not been involved in development of the plan's final stages, as the department had been in the earlier stages. A government official who would not permit use of his name or affiliation said the later stages of the plan's development translated overall strategy into a directive on war planning that would not normally involve the State Department. A Defense official said he was unsure about the list of people to be consulted in the final phase because "it was essentially a National Security Council process."

State Department spokesman Trattner, reflecting a conversation with Muskie in Maine, said "the secretary feels the situation is now being rectified after the fact." Muskie was not heard from directly. After several days' attendance starting late today at the Democratic National Convention in New York, he plans to be on vacation away from Washington until about Aug. 25.

THE NEW STRATEGY FOR NUCLEAR WAR: HOW IT EVOLVED**BYLINE:** By RICHARD BURT, Special to the New York Times**SECTION:** Section A; Page 3, Column 3; Foreign Desk**LENGTH:** 1012 words**DATELINE:** WASHINGTON, Aug. 12

Just before Jimmy Carter moved into the White House in January 1977, he asked Harold Brown, who was to be the Secretary of Defense, to study the feasibility of reducing the nation's strategic arsenal from 1,800 long-range missiles to about 200. Three and a half years later, the Pentagon is embarked on several weapons programs designed not to reduce, but to bolster strategic power.

Two weeks ago Mr. Carter approved a nuclear targeting strategy that gives priority to being able to strike at military and political targets in the Soviet Union rather than cities. The new policy, contained in a document known as Presidential Directive 59, has aroused controversy in part because Secretary of State Edmund S. Muskie was evidently excluded from its formulation. The few officials familiar with the decision say that it provides insight into how the military posture has changed over the years and how Secretary Brown and Zbigniew Brzezinski, the national security adviser, have become intellectual companions on security matters.

Policy Evolved From 1976 Plan

The new policy evolved from a war plan, known as National Security Decision Memorandum 242, formulated in the final months of the Ford Administration. That memorandum called for missiles capable of threatening civilian and military targets in the Soviet Union. But during the 1976 Presidential campaign, Mr. Carter voiced skepticism over the idea of being able to undertake selective nuclear strikes. As late as December 1978, he said at a news conference that his approach to deterrence was based on the principle "that any attack on us would result in

devastating destruction by the nation which launched an attack." According to officials, both Mr. Brzezinski and Mr. Brown, by the end of 1977, had started to express reservations about basing deterrence on the threat of massive retaliation. A major factor behind the re-evaluation, the officials said, was a study of the military balance, prepared by Samuel P. Huntington, then an associate of Mr. Brzezinski, which concluded that the Soviet Union did not accept that theory of mutual deterrence.

Pinpoint Strategy Led to MX

On the basis of the study, Mr. Brzezinski is said to have asked Mr. Brown to re-examine nuclear war plans. Aides said Mr. Brown asked Leon Sloss, a State Department aide, in 1978 to study the issue. Working with a small team, Mr. Sloss is said to have developed many of the concepts associated with the recent directive, including the need for a reserve force of missiles in a prolonged nuclear war and the importance of being able to hit military targets and to threaten the Soviet political apparatus. Officials said this support for the United States' capacity to make pinpoint strikes led Mr. Brown and Mr. Brzezinski to persuade the President, in early 1979, to approve the proposal for a new mobile missile, the MX. The missile, scheduled for deployment in the late 1980's, not only is designed to escape a first strike, but has the accuracy needed for such strikes. Following Mr. Carter's decision, in May 1979, to approve the MX, Mr. Brzezinski pressed in several interagency meetings for a Presidential directive that would incorporate the new strategy. According to officials, Mr. Brown, at that point, was not convinced that such an order was needed, and the State Department was also skeptical. According to some officials, it was this lack of support that led Mr. Brzezinski to shelve the idea. An aide to Mr. Brzezinski, however, asserted that attention was diverted by the Iranian hostage crisis in November and then the Soviet intervention in Afghanistan.

The strategy issue did not again receive [sic.] attention until June, in discussions that now involved only a handful of Pentagon and White House aides. In addition to Mr. Brown and Mr. Brzezinski, they included Walter Slocombe, a Deputy Under Secretary of Defense; Gen. Jasper A. Welch of the Air Force, who coordinate military policy at the White House, and Gen. William E. Odom of the Army, who is Mr. Brzezinski's military assistant. Officials said General Welch and General Odom submitted a draft of the proposed directive to Mr. Brzezinski, who then sent it to Mr. Brown for comment. In late July, Mr. Brown and Mr. Brzezinski are said to have met with Mr. Carter and the directive was approved.

Brown Was to Announce Strategy

Plans were set in motion for informing allied governments of the change and for having Mr. Brown announce the strategy in a speech later this month. But the Government was caught off guard when reports on the policy appeared in the press. Officials acknowledge that questions concerning the strategy remain to be answered. One is why the study, after being shelved, was revived in June. Henry A. Kissinger, the former Secretary of State, said here in a speech today: "I do not believe that the middle of an election campaign is the appropriate moment to announce a new strategy for conducting nuclear operations, a subject of extraordinary delicacy and profound consequence to the Soviet Union, to our allies and our own people." A participant in the earlier phase of the study noted the Republican platform called for a nuclear strategy of the sort now approved, and suggested that Mr. Carter might have been interested in deflecting conservative criticism. White House aides said the timing merely reflected the fact that neither Mr. Brzezinski nor Mr. Brown had had the time to focus on the issue. Another question is why only a few officials were involved in the final phase of the decision. White House and Pentagon aides said that the State Department was aware of the general issues and that, in the final analysis, war

plans were the responsibility of the military. But a White House aide hinted that a wider debate might have exposed the new strategy to questioning and criticism. The said many experts believe that a threat to the Soviet Union's military targets could make war more likely by leading it to conclude that the United States is seeking a first-strike capability.

Beecher, W. (personal communication, 2015)

Email correspondence

Marc Howard Rich to William Beecher, March 3, 2015 3:41pm MST

[Attached: Brzezinski, 1980, Aug. 22]

Professor Beecher,

I'm a PhD candidate from the University of Colorado Boulder in the Communication department. My focus is on rhetoric, democracy, and nuclear weapons policy. I am doing my dissertation on Carter's Presidential Directive 59 which was recently mostly declassified along with a large amount of formally classified correspondence and memos between members of the State Department and Defense Department. I am hoping you would be willing to help me by answering a few questions regarding your experience with the PD-59 leak. FYI, the CC above are my dissertation advisers, I like to keep them in the loop.

Your name, or at least I believe it was you since no first name was given, appeared in one of these documents which was declassified on Sept. 24, 2010. The document itself was published on Aug. 22, 1980 and is a timeline of PD-59 written by Brzezinski which is supposed to refute the idea that the Secretary of State and State Department were intentionally excluded from the proceedings (Document attached). The particular concern where your name shows up is that PD-59 was leaked to the press before Brown and Brzezinski had a chance to adequately brief Muskie and the allies.

The exact location where you show up is in the attached document on numbered page 2, bullet 2 under "phase IV-the Public Flap" heading. The quote is

"However, the previous Sunday, August 3, Beecher of The Boston Globe published a leak on the existence of a draft PD."

From what I know this is the first time I have seen your name is mentioned in official and newspaper documents in regards to PD-59. I cannot find any electronic copies of the article you wrote that day, and am currently searching for a hard copy of the Boston Globe for that day to search it by hand. I expect to have a scan of the actual article in a few weeks.

If you would be so kind to answer a few questions, it will really help my research. I understand that there may be security issues and will respect your decisions on how to answer these questions. The questions can be boiled down to "what story do you have to tell regarding your involvement in the PD-59 leak?" If you would like I would be happy to provide you a copy of my final product and/or discuss the particulars of the project prior to you answering any questions.

1. Is Brzezinski's account an accurate description of your involvement of the PD-59 leak?
2. How did you learn about Carters new directive?
3. What information did you have at that time regarding PD-59?
4. What were you planning on doing with that information?
5. As of yet I have not found anything that you published on PD-59 during the weeks following the official leak, is this accurate? If so, why did you decide not to write on PD-59? And if not, where and when did you write on PD-59 in the weeks following the official leak?
6. Is there any additional information that you feel is important to contextualize this information?

7. Do you have any questions for me? (I am happy to answer questions first if you would prefer).

8. Would you be open to having me contact you again if I have further questions? If so, what is your preferred medium?

Thank you very much for your time and consideration,

Marc Howard Rich

PhD. Candidate

Department of Communication

University of Colorado, Boulder

William Beecher reply to Marc Howard Rich, March 4, 2015 10:43 am. MST

Marc-

I wish you well in your efforts.

Let me make a few overarching points first:

- 1) This episode occurred [sic.] nearly 35 years ago and I don't have total recall. I don't even remember specifically what PD-59 was about.
- 2) Reporters NEVER reveal their sources, even after the passage of many years. I certainly don't intend to do so.
- 3) As is made clear in the Zbig document, I broke the story in the Boston Globe on Aug 3, 1980. [This statement is in fact incorrect, Beecher's story ran in the Boston Globe on July 27, 1980]
- 4) What strikes me from reading the memo is that Rick Burt of the New York Times and Mike

Getler of the Washington Post were following up on the Globe story and the government decided to call them in for special briefings in order to spin the story in what they regarded as a positive light. That was not commonplace. Obviously, the White House was concerned about the impression that neither the Secretary of State nor the western allies had been briefed on this important Presidential Directive.

5) I'm pouzzled [sic.] by some of your questions. What was I planning to do with the information? What I did was write a news story. Period. That's what reporters do, as you well know.

Why did I decide not to write about PD59? I did write the story. I had no special brief, one way or the other.

Was Brzezinski's account accurate of my role? He said I wrote the story, whcih [sic.] he called a leak, in the Boston Globe. Of course. But if the word "leak" was intended to convey the idea that someone, for whatever reason, leaked the story to me, or handed it to me on a silver platter, that is not accurate.

Beyond that I will not venture, except to say that I broke score, if not hundreds, of stories over my career. In only one instance in all that time (and this was not it) was I handed a story on a sliver platter—or leaked [sic.] a story. Only once.

The best insight I can provide you is in #4 above.

Good luck in your PhD project.

—William Beecher

Marc Howard Rich reply to William Beecher, March 4, 2015, 3:23pm

[attached: Beecher, 1980 photocopied from original]

Professor Beecher,

Thank you for your very informative reply. The members of my committee have all been very excited to hear that you replied to my inquiry, and we are all very excited by your response. You have actually clarified several ambiguous points in the history of PD-59, and possibly helped answer several questions that have up till now been unanswered. If you would be so kind as to indulge me, I will clarify my intentions in regard to my puzzling questions.

My biggest question was if you did in fact break the story. I have since learned that Brzezinski got the date wrong, your piece appeared the previous Sunday on July 27, 1980 and has not been translated into an electronic archive (that I have access to). A researcher at the Boston Globe Archives was kind enough to photocopy the article itself and get it to me today. However, before I found the article the Brzezinski paper was the first time I ever heard of you breaking the story. All the research I have encountered discusses Burt and Getler "leaking" the story on Aug. 6th. So one possibility was that Brzezinski completely made up your article in a secret document (unlikely, but significant if it was true).

The reason I asked about your source is that the typical narrative of the public "leak" in the press is that the Carter Administration strategically released the document just prior to the national convention for political purposes. This narrative always struck me as odd, since Brown was supposed to announce the document on the 11th so leaking it early caused more problems than political solutions. Now I can verify that the "leak" on the 6th was simply damage control over

you breaking the story on the 27th.

My question about why you didn't write on PD-59 was poorly worded. What I was coming to is that both Burt and Getler followed up on the story with several articles, whereas I only found the Q&A you did on the 29th. So a better worded question would be "why didn't you follow-up on the initial break?" which on reflection is not a good question.

I plan on sending you a copy of my dissertation when it is completed. The reason is that my dissertation will become either a set of articles or a book, and if I accidentally misrepresent you in my research I want to give you the opportunity to correct the inaccuracies before they become widely distributed ("widely" being defined in the most generous way possible here... I suffer no delusions of the number of readers I would likely reach with academic writing).

Again, thank you very much.

Marc Howard Rich

PhD. Candidate

Department of Communication

University of Colorado, Boulder

William Beecher reply to Marc Howard Rich, March 4, 2015 6:04 pm MST

Marc—

As I told you earlier, I don't recall either the details of PD59 or why I didn't choose to do more with the initial newsbreak. But it was not a "leak" as explained.

Over the course of a career I broke an awful lot of stories, including some that infuriated various administrations.

I was genuinely surprised that Burt and Getler were invited to get the “slant” of government officials.

—William Beecher

Marc Howard Rich reply to William Beecher March 4, 2015 6:23 pm. MST

Professor Beecher,

Don't worry, I will make sure that whenever I discuss your articles place in the narrative that I distinguish your research and "breaking the story" from the subsequent "followup" and "government leak" to Burt and Getler. Your emphasis has not been lost, and I will be sure to highlight that the subsequent government framing of the story to Burt and Getler was unusual.

Thank you very much for your openness and generous contribution to my research. I know it has been almost 35 years and was a minor point in your distinguished career, but I am grateful that you were willing to share what you could with me. I hope you have a successful semester and I hope our paths cross again,

Sincerely,

Marc Howard Rich

PhD. Candidate

Department of Communication

University of Colorado, Boulder

William Beecher reply to Marc Howard Rich, March 5, 2015 2:57 am MST

Good luck, Marc.