

Was the Hiroshima a justified act of war?



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Hiroshima was a terrible act of war but no crime, in a just and necessary fight. Do you agree or disagree? Be specific.

The deployment of atomic bomb in the final stages of the second World War was a horrendous act of war. The deployment of the “ Little Boy” on the 6th of August 1945 on the Japanese City of Hiroshima resulted in the immediate deaths of 70, 000 people in Hiroshima and a further 70, 000 in the weeks, months and years following who suffered the heinous after effects of radiation exposure (Roberston, 2012). 3 days later, a second bomb, “ Fat Man” was dropped on Nagasaki killing more than 40, 000 people and injuring a further 23, 000 (Sheldon, 1996). Proponents of the bomb’s use have argued that the deployment of nuclear weapons over Hiroshima and Nagasaki were not crimes and marked their deployment as a necessity in bringing an end to the war. They argue that diplomatic options were exhausted and but for the dropping of the bombs, the conflict would be prolonged, and the deaths encountered would vastly exceed those experienced on the 6th and 9th of August 1945 (Miscamble, 2011). However, the use of nuclear weapons on Hiroshima and Nagasaki represented a disregard for International Humanitarian Law (IHL) in place at the time and challenged the underlying doctrine of just war. I will argue that the use of nuclear weapons on Japan, particularly the use of the bomb on Nagasaki, was not the result of all diplomatic options being exhausted, did not avoid the infliction of unnecessary harm, and did not adequately distinguish between combatants and non-combatants. Classification of these atrocities as a crime were hampered by the international law landscape, state practice at the time, and U. S. control of the post war courts.

A War Crime?

Nuclear weapons were not in 1945, and are still not, explicitly prohibited by IHL (Bernard, 2016), however the use of nuclear weapons on Hiroshima and Nagasaki does not fall outside the scope of law. A range of general rules exist to place restrictions on state use of force in times of conflict and to provide humanitarian protections in times of war and to regulate the ways in which states behave in war (Sheldon, 1996). Deployment of bombs over Hiroshima and Nagasaki challenged the core tenets of just warfare and customary law that was in place at the time and failed just and moral tests for distinction, proportionality and military necessity, but were unlikely to be treated as war crimes given the United States were the victors of war, and the state of the IHL regime at the time.

Discrimination between combatants

Discrimination between combatants and non-combatants is a core tenet of *just in bello* - a set of principles designed to ensure the ethical and legal behaviours of states during the use of force. (Sheldon, 1996). The United States' decision to employ the bomb, and choice of Hiroshima and Nagasaki, showed a distinct lack of consideration for Japanese non-combatants. The two cities were dense with people and civilian infrastructure and it was foreseeable that little distinction could be made between combatant and noncombatant targets (Sherwin, 1977). The destructive force of the bomb, the likes of which had not been previously seen, was aimed at destroying two cities, and resulted in civilian extreme overrepresentation in casualties. Selden (2007) argued that the bombing represented an indiscriminate

terrorism of the civilian population, which violated outcomes from the 1923 Hague conference which sought to outline the rules of aerial warfare, and laments the failure of states to impose punitive measures to counter such activity.

Limiting of unnecessary harm and suffering

The deployment of the atomic bombs on Hiroshima and Nagasaki caused inconceivable suffering on its civilian population - causing immediate death, injury, serious illness, birth defects and even intergenerational effects. The use of the bombs caused undue harm and suffering in direct contravention of the core tenets of jus in bello.

The force of blasts in Hiroshima and Nagasaki far exceeded the preparedness in place. As the locations fell within designated air defence zones, there were civilian hospitals, first aid stations, and evacuation plans were in place and rehearsed regularly. The magnitude of the blast, and the damage inflicted meant that the bomb shelters in place were inadequate and many combatants and non-combatants died excruciating deaths, burned alive in ravaging fires (Committee for the Compilation of Materials on Damage Caused by the Atomic Bombs in Hiroshima and Nagasaki, 1981). The bombs resulted in the instant deaths of over a third of the population in Hiroshima and over 24, 000 in Nagasaki (Siracusa, 2015). It is estimated that More than 90 percent of those seriously injured by the blasts at Hiroshima and Nagasaki were dead by the 90th day following (Rotter, 2008).

The injury and illness that affected populations in months, years and generations following, had not previously been seen. Immediate injury from <https://assignbuster.com/was-the-hiroshima-a-justified-act-of-war/>

radiation exposure often resulted in death, and ranged from burns, lesions, and cataracts. Longer term, an increased rate of cancers such as Leukemia due to exposure, birth defects such as smaller head size were documented (Committee for the Compilation of Materials on Damage Caused by the Atomic Bombs in Hiroshima and Nagasaki, 1981). In short, the suffering imposed on the populations of Hiroshima and Nagasaki were cruel, unnecessary and long lasting - all of which point to a fundamental failure to limit harm in times of war.

Military Necessity

The bombing of Hiroshima is often justified on the basis of military necessity - a notion that justifies the use of force where it will result in victory. However, this should not be viewed in isolation of humanitarian considerations (Casey Malsen, 2015). In the case of Hiroshima, the dropping of the bomb was justified on the basis that a shock and awe strategy on Japan, who had committed immense atrocities throughout the conflict, could bring a swift end to the already gruelling war and, on balance of projected deaths, would result in far fewer human casualties on all sides than if the war would be continued (Majerus, 2013). However, this assertion of necessity deserves interrogation, particularly in consideration of the likelihood of Japanese surrender. In early 1945, Japan's willingness to capitulate was signalled, and relayed to Truman, by means of intelligence captured between the Japanese Ambassador to Russia, Sato and Foreign Minister Shigenori Togo. Communications between the two indicated that the United States' demand of unconditional surrender was the only impediment to the conclusion of the war (Sherwin, 1977). A diplomatic solution was presented

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to the Truman Administration - by softening the demand for an unconditional surrender, an end to the war in the Pacific could be attained, and arguable the carnage that ensued in Hiroshima and Nagasaki could have been avoided. These signals were not isolated instances. Signals of a willingness to capitulate arose in the days between Hiroshima and Nagasaki and will be considered below.

International Humanitarian Law landscape

The rapid technological development in nuclear weaponry witnessed during World War 2 meant that the International Humanitarian Law regime was not able to keep pace and adequately govern the use of an emerging technology in warfare. This possibility was flagged at the outset by one of the scientists with a key role in the Manhattan Project, Niels Bohr (1944), in a memorandum to Truman:

“ Unless some agreement about the control or use of the new active materials can be attained in due time, any temporary advantage, however great, may be outweighed by a perpetual menace to human security”

Throughout World Wars 1 and 2, international humanitarian law was being largely ignored by combatants. In World War 1, the principles derived from the second Hague conference to ban the use of chemical weapons were flouted by both sides, who utilised asphyxiating gases to inflict harm (Robertson, 2013). The U. S. use of indiscriminate aerial bombing of Tokyo and the Japanese practice of torture, murder and treatment of prisoners of war represented a gross departure from the overriding legal principle of discretion between combatants and non-combatants discussed at the first

Hague Convention which sought to limit the rights of combatants to inflict injury to the enemy using methods that caused unnecessary suffering (Robertson, 2013). Broadly, there was an environment of little respect or consideration for Humanitarian Law. This disregard, compounded with the failure of the League of Nations to deter breaches of existing law meant that IHL at the time did not carry authority to adequately take punitive action toward war crimes.

Classifying the dropping of the atomic bombs on Hiroshima and Nagasaki as a war crime was further inhibited by virtue of the status of the U. S as victors in war. Subsequent decisions have pointed to a reconsideration - taking into consideration the doctrine of just war described below (Falk, 1965) but there has been inadequate opportunity to test the evidence before an international tribunal. After the Hiroshima bomb, before the Japanese surrendered, they filed an official protest against the use of the bomb - contending that the aforementioned tenets of just war had been breached - with the Swiss but this was not subsequently raised and examined (Goodman, Selden & Selden, 1989). The Americans were the victors of war, set up tribunals to trial Japanese war atrocities and disregard was paid to their own committed on Hiroshima and Nagasaki. The use of the first atom bomb may have been justified under the various reasons given by those in the administration and commentators subsequently. The use of the second atom bomb, however, showed a systematic ethical, and moral failing within the Truman administration and its military leaders.

The bombing of Nagasaki

While the Hiroshima bombing had been justified on the basis of necessity - bringing an end to a war that may have claimed numerous more lives than wither of the atomic bombs resulted in (Robertson, 2013) - the last minute, indiscriminate dropping of the 2nd atomic bomb, " Fat Man" 3 days later on Nagasaki raises moral and legal questions and warrants analysis.

A second atomic bombing had always been part of the strategic plan for the United States in Japan, and was vigorously advocated for by military leaders, General Groves and Admiral Purnell (Wainstock, 2011). The second bombing was scheduled to be completed on 11th August 1945, but was brought forward, arguably in response to Soviet entry into the Pacific War. However, Nagasaki was the secondary of 2 determined targets for the second deployment. The first target being Kokura, but this was abandoned at very last minute due to a combination of poor visibility, bad weather and fuel restrictions, and the B29s rerouted for Nagasaki. In fact, it was only at the last minute that a pocket between the clouds was found by the pilot and the second bomb, " Fat Man" was dropped on Nagasaki (Wainstock, 2011).

The United States, having seen physical proof of the scale and magnitude of the bomb's effects, and arguably secured the willingness of Imperial surrender, continued with the bombing. They argued that the rapid succession would shock the Emperor into admitting surrender unconditionally (Sherwin, 1977). In fact, a surrender movement had developed as early as July of 1944 and by the fall of Okinawa in May 1945 members of the Japanese cabinet had begun to express doubts about the war effort and had begun to advocate for peace, at least on the condition that the Emperor remain (Hasegawa, 2005). There was also evidence of <https://assignbuster.com/was-the-hiroshima-a-justified-act-of-war/>

Japanese willingness to surrender in the days between the bombings of Hiroshima and Nagasaki. The Foreign Minister's request to convene a special meeting of the Supreme War Council after the Soviet invasion of Manchuria, but before the bombing of Nagasaki was further indication that a surrender was imminent, and that the proposed use of the bomb on Nagasaki failed the test of military necessity (Pape, 1993). Had the Americans waited or been willing to compromise on conditional surrender, the use of the second bomb may not have been necessary. An irony, however dark exists, when we consider that the eventual surrender was not unconditional - and resulted in the retaining of the Emperor (Pape, 1993).

While the United States maintained that the second strike just 3 days later was to shock Japan into a surrender, the motivations are better aligned with the United States posturing tendencies at the time to establish global dominance and the justification of billions of dollars in research and development spending directed to the Manhattan Project. At the conclusion of World War 2. The Soviet forces entered Manchuria, and thus, the Pacific War on 9 August 1945 and threatened the ability for the United States to distribute its blueprint for world order post war. Members of the Truman Administration and senior member of the Military advocated the use of the bomb for various reasons. General Groves' reasoning included attaining the maximum "psychological effect" through a "significantly spectacular" initial display of power and to intimidate the USSR (Takaki, 1995, p. 39). The U. S. Secretary of State, James Byrnes had expressed an anxiousness to bring a swift end to the war in the Pacific before the Russians were involved, contending that their presence would secure their influence in the region for

decades to come (Rotter, 2008). The diplomatic power of atomic bomb deployment should not be understated and brings into question the grounds upon which its use was justified.

The decision to continue with a planned 2nd bombing was also likely influenced by domestic politics at home in the United States. The United States had consistently put forward a demand for unconditional surrender was unwavering, even in the face of impending defeat of Japan. Not only had billions been spent on the Manhattan Project, but public opinion lent itself to a strong retaliation - one third of respondents wanted to see Emperor Hirohito's execution, one fifth his imprisonment or exile, a sixth a trial for war crimes and the remaining 3% advocated for his retention as Emperor. (Wainstock, 2011, p. 62). The Truman Administration was unwilling to conceive of any other method to obtain peace and were motivated largely by domestic politics and the quest for dominance in the new world order.

Conclusion

The bombing of Hiroshima, though deemed necessary by proponents of its use, displayed the flagrant disregard of the Truman administration for the laws of war. Its use inflicted indiscriminate and unnecessary suffering on an overwhelmingly civilian population and its absolute military necessity in the context of an impending Japanese Surrender and a growing peace movement since 1944 in Japan, should and has been questioned. The uncritical and unreflective use of the second atom bomb over Nagasaki was unnecessary, indefensible and arguably heavily motivated by a need to define the United States' position in the post war world. The use of the

second atom bomb was always considered by the United States, but the quick succession in which they were was unnecessary and without them, Japan could have been given more time to consider the devastating effect of the bomb and progress toward surrender that was at that stage, inevitable. The rejection of diplomatic alternatives, that were evidenced as plausible at the time, represents a gross failing of the administration to adhere to existing principles of IHL – the outcome of which is 2 bombings that meet the criteria of war crimes, and were inherently unjust and cruel.

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