



## HOUSE OF COMMONS

attack, or a NATO alliance obligation. I think that is well understood by everyone who has looked at that.

Q79 **Chair:** One last question: why do you think we tend not to include consideration of how a nuclear strike might be authorised in these discussions?

**Professor Phillipson:** Are you talking about a nuclear strike in response to an attack; in other words, one that was ordered very rapidly, or a pre-emptive strike?

Q80 **Chair:** We have gone through more than an hour of oral evidence and all the written evidence with no reference to the possibility of a nuclear strike.

**Professor Phillipson:** To answer your question, I assume it is because people think there are probably no circumstances in which the UK would make a pre-emptive nuclear military strike. In other words, it would only be used in response to an attack launched upon us, in which case there would be no time for Parliament to be involved.

Q81 **Chair:** Actually, the policy of the Government and successive Governments is not to rule out first use.

**Professor Phillipson:** Indeed, but I do not think it has ever been considered a realistic possibility. I am sure that if the Government were proposing to launch a considered nuclear military strike, not in response to a nuclear attack on them, they would feel that they had to get Parliament's assent in some way because, obviously, it would be a potentially catastrophic act.

Q82 **Chair:** Do you have a response to my question? Is it too difficult?

**Sebastian Payne:** No, I do not think it is too difficult. I do not think that anyone believes that there are simple, clear-cut answers. There are clearly complex issues that have to be considered. I do not think that anyone believes that Parliament should micromanage nuclear military action.

Q83 **Chair:** Why should it micromanage anything else?

**Sebastian Payne:** I do not think it should micromanage it. That was the thrust of what I was saying earlier on in my observations. That it is for Government to formulate the policy and it is for the military to conduct the campaign. The issue is: what role does Parliament have to debate, to analyse and, in some cases, possibly to be given a vote? That is the issue. I do not think anyone is suggesting that the role of Parliament is to conduct the campaign.

**Professor Phillipson:** The final point on nuclear weapons is that deterrence requires simply that potential enemies do not know, for example, if the UK were wiped out but the Trident submarines could still retaliate, whether that would happen. I do not know whether it is



## HOUSE OF COMMONS

mythological or not, but I gather that a Prime Minister is asked to write a letter of last resort when they come into office. Clearly, if that letter's contents were disclosed, its deterrent value would go. There is controversy over Jeremy Corbyn in that respect. That is one good reason why Parliament would not have that disclosed.

**Q84 Chair:** The adoption of the principle of deterrence relies upon potential adversaries not knowing what we might do? However, we do not just have nuclear deterrents. We have a whole spectrum of deterrents. Our military forces are about deterrents, about shaping the global environment for the benefit of global security and our own security. Why does the same principle not apply to the deployment of conventional military deterrents?

**Professor Phillipson:** Because nuclear weapons have never been used by any state since the Second World War.

**Q85 Chair:** I am asking a different question. It is not about nuclear weapons. Why does the same principle not apply for the use of conventional deterrents?

**Professor Phillipson:** Because using nuclear weapons would be a decision that could potentially extinguish life on earth if it resulted in an uncontrolled nuclear exchange and, therefore, there is a very strong suspicion that no one would do it. Therefore, the only way of creating successful deterrents is to leave the matter unclear.

**Q86 Chair:** That is a very clever argument, but you saying that the weapons are so terrible there is no point in trying to make them accountable to Parliament.

**Professor Phillipson:** There is an argument to say that the letter of last resort should be accountable to Parliament but, obviously, it would lose much of its value if the outcome was that the Prime Minister said—and that was read in Parliament, “If the UK is wiped out by nuclear weapons we will not retaliate”. Then you have lost your deterrent value immediately.

**Q87 Chair:** The point is that our ability to defend our country depends on not telling potential adversaries everything we may or may not do.

**Sebastian Payne:** That is so, but leaders in various countries will be quite aware of the potential of the UK to attack in a certain circumstance, or to defend interest. It is a slightly false contrast in the idea that Parliament does not get to discuss it and, therefore, there will be a complete surprise that is militarily effective. I am sure Saddam Hussein realised that he was under risk. If anything, in that circumstance, if he had been sensible, he would have realised that he was under debate in Parliament. The fact that everyone was discussing it should have in itself formed a deterrent.



## HOUSE OF COMMONS

Of course, there may be circumstances where there needs to be an element of surprise but, in many cases, there is a long lead in. People were talking about a war in Iraq for at least a year or two. In that example, I do not think your hypothesis stands up.

**Chair:** Thank you very much. We have one more question.

Q88 **Ronnie Cowan:** In terms of nuclear war, there is a consideration to be made that the missiles are not currently targeted at any particular co-ordinates, so there is a process to go through there, and the argument that Parliament should be involved in deciding who it is that we are going to nuke because it kind of matters to the planet.

**Professor Phillipson:** Yes. I think you have detailed evidence from a former commander. I would defer to his view on that as somebody having considerably great expertise.

**Chair:** Thank you very much indeed for your evidence today. It has been a very interesting discussion.

**Professor Phillipson:** Thank you for inviting us.

**Chair:** If you feel the need to add anything else, please do write to us. Thank you.

### Examination of witnesses

Dr Hayley Hooper, Dr James Strong and Dr Tara McCormack

Q89 **Chair:** Please could you identify yourselves for the record?

**Dr McCormack:** Tara McCormack from the University of Leicester.

**Dr Strong:** James Strong from the Queen Mary University of London.

Q90 **Chair:** Thank you very much for being with us. Can you briefly explain how the use of military force and declarations of war are authorised, both historically and today?

**Dr Strong:** First of all, historically, the general rule is that the House of Commons has at various times pressed for greater power over questions of military action. While we have heard the orthodox Westminster model view that, essentially, the House gives the Government power to carry out military action, it sustains it in office, and then it holds it accountable subsequently, there have been a number of historic procedural exceptions, including: the end of the North American War in 1782, the establishment of Roebuck's Committee of Inquiry into the Crimean War in 1855, the substantive vote approving British participation in the Korean War in 1950, and, obviously, since 2003, this novel convention of prior consultation with the House before military deployments.

I would say that the general rule here is: when the nature of the issue or the particular politics surrounding it has led to a majority in the House