## Case EV

C1  --- Drones

Trump will ensure counterterror strikes continue.

Greenberg 25 [Karen J. Greenberg, Director of the Center on National Security @ Fordham Law School, 1-1-2025, Trump Brought the War on Terror Home—and He’ll Do It Again, The Nation, <https://www.thenation.com/article/world/trump-war-on-terorr-second-term/>, Willie T.]

Trump and the Tactics of the War on Terror¶ Trump’s first presidency combined the strategies of Bush and Obama when it came to the War on Terror. Though it was little noted then, he launched an unprecedented number of drone strikes, tripling Obama’s numbers by 2022, including the targeted assassination of a high-ranking Iranian official, Revolutionary Guard leader Qassim Soleimani. Political scientist Micah Zenko noted that, despite his claims of being non-interventionist, Trump proved to be “more interventionist than Obama: in authorizing drone strikes and special operations raids in non-battlefield settings (namely, in Pakistan, Yemen, and Somalia).”¶ The 45th president’s disregard for legal restraints took other war-on-terror policies to a new level. Within a week of his inauguration, President Trump had issued an executive order that came to be known as “the Muslim Ban,” forbidding citizens from seven predominantly Muslim countries entry to the United States. And like his predecessor, he showed little interest in sunsetting the expansive surveillance authority he had inherited.

BUT drones are unlawful under Rome --- it constitutes civilian targeting, risks proportionality tests AND precision makes guilt easy to prove.

Alberstadt 14 [Rachel Alberstadt, Advanced MA/LLM in Public International Law @ the University of Leiden, 6-7-2014, Drones under International Law, Open Journal of Political Science, <https://www.scirp.org/html/4-1670156_50570.htm>, Willie T.]

Under Article 8 (2) (a) the Statue incorporates established IHL law taken from the 1949 Geneva Conventions and other relevant established international law (Cryer, Friman, Robinsin, & Wilmshurst, 2007). Core provisions of IHL ban indiscriminate targeting practices, including weaponry which are incapable of distinction (Gill & Fleck, 2010). However, this distinction holds an overall caveat in international conflicts, as in these types of conflicts there are two categories of persons: combatants and civilians. Each category are afforded aspects of protections, but under some acts, such as wilful killing, these are crimes only against non-combatants (Cryer, Friman, Robinsin, & Wilmshurst, 2007).

As IHL argues that whoever does not qualify as a combatant automatically qualifies as a civilian (Gill & Fleck, 2010) customary law and State practice exist in a current State of flux regarding non-State armed groups in international conflicts and also terrorist actors. However, this paper will explain how under existing IHL, for which violations under the Rome Statute can arise, terrorists and non-State actors continue to constitute protected civilians. Exceptions to this rule allow for legitimately targeting civilians should the civilians in question actively and directly participate in combat (Kalshoven & Zegveld, 2011). However, lawfulness of targeting these civilians pertains strictly to the duration of their active involvement.

The factual nature of drones—as an instrument capable of but not restricted to purposes of force—provides imperative evaluation for potential allegations of international core crimes, such as war crimes or crimes against humanity. States deploy drones for three interrelated reasons 1) efficiency, 2) accuracy, and 3) prevention or protection of human risk. As indicated in the previous section, these objectives also potentially implicate mens rea elements for judicial hearings. Because of the precision of drones, both from the accuracy of data procured to inform the pilot and the relative accuracy of the targeting itself, any crimes resulting from drone sorties could demonstrate either an intent to disregard the laws of war by means of recklessness or negligence, or a direct culpability for knowingly firing upon unlawful targets.

Regarding liability, actual launching of drones ultimately rests upon a leadership decision. This implicates liability under command responsibility, or liability under Article 28 of the Rome Statute, as it is the commanders who give the final authorization for the order (Air Force Operations, 2009). For example, precautions must be taken when giving orders to exercise drone strikes, thus, if the status of the target is doubted (in terms of being military or combatant), then the assumption is the target is civilian and is protected and must not be attacked (Gill & Fleck, 2010; Kalshoven & Zegveld, 2011; Military Commander, 2012; Cryer, Friman, Robinsin, & Wilmshurst, 2007).

4.1. Drones and Proportionality under the Rome Statute

While this paper has extensively analysed the lawfulness of certain targets, a related issue of lawful drone action is the resulting damage from the strikes. While it is clear that prohibitions on directly targeting civilians exists, States are also prohibited from executing strikes which would predictably or knowingly cause excessive or unnecessary civilian harm (Kalshoven & Zegveld, 2011). Thus, war crimes may result from strikes if the results failed proportionality tests.

Generally the proportionality test weighs potential harm against military benefit (Gill & Fleck, 2010). It is a test decided by the commander prior to the launched sorties and must be decided for each and every attack (Matthews & McNab, 2011). Michael Schmitt clarifies that the weapon used proves irrelevant, but rather the issue is whether “expected civilian casualties or damage were excessive relative to the military gain the attacker reasonably anticipated from the strike” (Schmitt, 2011). The evaluation of proportionality by courts results in inconsistent determinations as proportionality is assessed subjectively by the military apparatus (usually a commander giving a final “go” order) and is difficult to objectively quantify or qualify (Air Force Operations, 2009; Cryer, Friman, Robinsin, & Wilmshurst, 2007).

Proportionality is considered prior to launching an attack but is again evaluated after the fact, often by different actors than the ones considering the initial attack. As proportionality must be determined for each individual attack, and as each attack carries different factors to be weighed (such as the nature of the target, circumstances, weaponry available, etcetera), this complicates attempts at legal certainty for subjective or objective determinations of, for instance, what constitutes “excessive” under the framework of proportionality (Matthews & McNab, 2011; Cryer, Friman, Robinsin, & Wilmshurst, 2007). Harm resulting from drones does not negate its lawfulness under principles of proportionality (Matthews & McNab, 2011; Schmitt, 2011), but it is the qualification of the numbers which provides uncomfortable calculations. As such, while there are certainly more clear concepts within IHL, proportionality is not one of them. It remains an evaluation on a case-by-case basis as (Vogel, 2011) “[t]he main problem with the principle of proportionality is not whether or not it exists but what it means and how it is to be applied” (Final Report, 2000).

AND accepting Rome’s statute creates a hesitancy to act

Neale 20 [Agnieszka Jachec-Neale, Researcher and Lecturer at Exeter Law School, The Unintended Consequences of International Court Decisions, Lieber Institute, 11-19-2020, <https://lieber.westpoint.edu/unintended-consequences-international-courts-decisions/>, Willie T.] \*\*LOAC = Law of Armed Conflict\*\*

The consequences of re-interpretating LOAC notions, such as “attack,” could be far-reaching from a legal and practical point of view. Developments like those discussed above risk further fragmentation in the material sense of LOAC and international criminal law. Such developments are also likely to disrupt the fragile balance between military needs and humanitarian considerations in armed conflict.¶ If tribunals criminalize conduct not regulated by the same terms under LOAC, then confusion can ensue as to the practical application of LOAC by military operators. This could inadvertently cause military operators to unduly restrain themselves in how they operate during armed conflict. They may refrain from undertaking otherwise lawful actions because of a perceived risk of criminal sanction. The law must be clear in order for military operators to be able to undertake the full spectrum of military operations in the heat of battle without the uncertainty of criminal consequences. Moreover, the law must be clear for military operators to train their forces before battlefield deployment and for lawyers to give advice during conflict.¶ This trend of courts interpreting LOAC differently for international criminal law purposes leaves States to decide whether to accept international courts’ conclusions, or to follow the traditional way LOAC has been interpreted. It may be that States are comfortable relying on international criminal courts to restate the law, elucidating its aspects, and even contributing to progressive development of new norms. However, if not, States should be more vocal about their objections to such findings and should reassert their international law-making role. Either way, States should not be indifferent. Indifference can easily be interpreted as acceptance of the ICC’s findings and therefore affirmation of this pattern of judicial sanctioning of ever-expanding categories of war crimes.¶ Last but not least, international criminal tribunals must not only remain mindful of the vitality of upholding the principle of legality, but also of the reality of future armed conflicts. In these conflicts both the fighting participants and protected persons will bear the brunt of reinterpretation of the legal framework regulating such conflicts.

Drones are key to disrupt safe havens.

Mitt Regan 22, J.D. from Georgetown, the McDevitt Professor of Jurisprudence and co-director of the Center on National Security at Georgetown Law and senior fellow at the Stockdale Center for Ethical Leadership at the U.S. Naval Academy, “Drone Strikes and Evidence-Based Counterterrorism”, <https://www.lawfareblog.com/drone-strikes-and-evidence-based-counterterrorism>

At the same time, however, considerable evidence from AQC correspondence during the time that strikes intensified in the FATA—then the base of al-Qaeda leadership operations—indicates that strikes significantly weakened and disrupted AQC, eventually causing evacuation of what had been a relatively safe haven from which it could plan, coordinate, and train individuals for attacks in the U.S. and the West. While quantitative studies are not precisely structured to identify the consequences of these impacts, qualitative evidence suggests that there is good reason to believe that they contributed to lowering the risk of attack in the United States.

Safe havens uniquely enable WMD terrorism.

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Once an actor has successfully obtained the necessary precursors, seed cultures, or other raw materials required for their chosen CBRN weapon, they immediately encounter a fresh set of obstacles. They will need to secure a suitable space to conduct their work that will be sufficiently free from the risk of discovery and interdiction, as well as obtain and operate the full suite of equipment needed for production and subsequent weaponization. Obtaining equipment introduces unique risks, since the more specialized the equipment, the greater the risk of detection. Furthermore, the production of CB agents can generate signatures in the forms of inadvertent releases of waste chemicals, unintentional releases of agents, or simply strong smells (such as those associated with mass production of bacteria), which can all attract attention and increase the risk of interdiction. Accordingly, safe havens—in which terrorists exercise control over territory or can operate relatively undisturbed because a host state is unable or unwilling to act against them—can therefore be expected to make weapon production more feasible. The potentially transformative effects of a safe haven were clearly illustrated by the 2014 seizure of a substantial portion of northern Iraq and eastern Syria by the Islamic State. Despite ongoing aerial bombardment, the Islamic State was able to exploit the territory under its control, along with expanded access to regional trade networks, to develop a small-scale but successful pseudomilitary chemical weapons program. This program appears to have been largely focused on the production of mustard blister agent for use in military campaigns against the Islamic State’s enemies, but the agents were also employed against areas with significant civilian populations (Binder et al., 2018).

That causes global draw-in and extinction!

Beres 19 [Dr. Louis Rene Beres, 2019 Associate Professor of Political Science at Purdue University, has lectured and published extensively on the subject of nuclear terrorism. 07/09/2019. Terrorism And Global Security: The Nuclear Threat--Second Edition, Completely Revised And Updated. Routledge]

Nuclear terrorism could even spark full-scale nuclear war between states. Such war could involve the entire spectrum of nuclear conflict possibilities, ranging from a. nuclear attack upon a nonnuclear state to systemwide nuclear war. How might such far-reaching consequences of nuclear terrorism come about? Perhaps the most likely way would involve a terrorist nuclear assault against a state by terrorists "hosted" in another state. For example, consider the following scenario:

Early in the 1980s, Israel and her Arab state neighbors finally stand ready to conclude a comprehensive, multilateral peace settlement. With a bilateral treaty between Israel and Egypt already several years old, only the interests of the Palestinians—as defined by the PLO— seem to have been left out. On the eve of the proposed signing of the peace agreement, half a dozen crude nuclear explosives in the one kiloton range detonate in as many Israeli cities. Public grief in Israel over the many thousand dead and maimed is matched only by the outcry for revenge. In response to the public mood, the government of Israel initiates selected strikes against terrorist strongholds in Lebanon, whereupon the Lebanese government and its allies retaliate against Israel. Before long, the entire region is ablaze, conflict has escalated to nuclear forms, and all countries in the area have suffered unprecedented destruction.

Of course, such a scenario is fraught with the makings of even wider destruction. How would the United States react to the situation in the Middle East? What would be the Soviet response? It is certainly conceivable that a chain reaction of interstate nuclear conflict could ensue, one that would ultimately involve the superpowers or even every nuclear weapon state on the planet.

What, exactly, would this mean? Whether the terms of assessment be statistical or human, the consequences of nuclear war require an entirely new paradigm of death. Only such a paradigm would allow us a proper framework for absorbing the vision of near-total obliteration and the outer limits of human destructiveness. Any nuclear war would have effectively permanent and irreversible consequences. Whatever the actual extent of injuries and fatalities, it would entomb the spirit of the entire species in a planetary casket strewn with shorn bodies and imbecile imaginations.

This would be as true for a "limited" nuclear war as for an "unlimited" one. Contrary to continuing Pentagon commitments to the idea of selected "counterforce" strikes that would reduce the chances for escalation and produce fewer civilian casualties, the strategy of limited nuclear war is inherently unreasonable. There is, in fact, no clear picture of what states might hope to gain from counterforce attacks. This understanding is reflected by Soviet military strategy, which is founded on the idea that any nuclear conflict would necessarily be unlimited.

Nuclear War Between the Superpowers

The consequences of a strategic exchange between the United States and the Soviet Union have been the object of widespread attention. One account of these consequences is offered by Andrei D. Sakharov, the brilliant physicist who played a leading role in the development of Russia's thermonuclear capacity:

A complete destruction of cities, industry, transport, and systems of education, a poisoning of fields, water, and air by radioactivity, a physical destruction of the larger part of mankind, poverty, barbarism, a return to savagery, and a genetic degeneracy of the survivors under the impact of radiation, a destruction of the material and information basis of civilization—this is a measure of the peril that threatens the world as a result of the estrangement of the world's two superpowers. 13

Presently, U.S. strategic arsenals contain approximately 9,000 strategic weapons and 4,000 megaton equivalents. Soviet strategic forces number approximately 3,000 weapons and about 5,000 megaton equivalents.14 An exchange involving any substantial fraction of these forces could promptly destroy more than half of the urban populations in both countries. The subsequent fallout could be expected to kill upwards of 50 percent of the surviving rural inhabitants as well as create worldwide contamination of the atmosphere.15

To better understand the effects of fallout, it is useful to recognize that radiation effects have three basic forms: (1) radiation directly from the explosion; (2) immediate radioactive fallout (first twenty-four hours); and (3) long-term fallout (months and years). In areas where radioactive fallout is of particularly high intensity, individuals will be exposed to high doses of radiation regardless of shelter protection. Those who do not become prompt or short-term fatalities and have suffered radiation exposures above 100 REMs will undergo hemo tological (blood system) alterations that diminish immunological capabilities. The resultant vulnerability to infection will seriously impair prospects for long-term recovery.

The effects of a nuclear war between the superpowers, however, cannot be understood solely in terms of projected casualties. Rather, these effects must also include quantitative effects (i.e., availability of productive capacity, fuel, labor, food, and other resources); qualitative effects (i.e., political, social, and psychological damage); and interactive effects (i.e., the impact on the relationships between the social and economic factors of production).17 When these corollary effects are taken into account, it is easy to see that policy makers and public alike have typically understated the aggregate impact of nuclear war.

This point is supported by a 1975 study of the National Research Council, National Academy of Sciences, entitled Long- Term Worldwide Effects of Multiple Nuclear Weapons Detonations. Going beyond the usual litany of crude physical measures of destruction (e.g., number of human fatalities, number of cities destroyed), the report portrays the long-term, worldwide effects following a hypothetical exchange of 10,000 megatons of explosive power in the northern hemisphere. These effects are cast in terms of atmosphere and climate, natural terrestrial ecosystems, agriculture and animal husbandry, the aquatic environment, and both somatic and genetic changes in human populations.

While the report recognizes that the biosphere and the species Homo sapiens would survive the hypothesized nuclear war, it recognizes that the very idea of survival in such a context is problematic. Building upon this recognition, a more recent study prepared for the Joint Committee on Defense Production of the Congress—Economic and Social Consequences of Nuclear Attacks on the United States—identifies four discrete levels of postattack survival. This new taxonomy permits a more subtle look at the interactive effects of nuclear war and allows more precise judgments about the acceptability or unacceptability of nuclear attack damage. According to the study, there are four levels of survival, in decreasing order of damage.

1. Biological Survival of Individuals. Individuals or groups of individuals survive but not necessarily within the organized political, social, and economic structure of a modern society.

2. Regional Survival of Political Structures. Some subnational political units survive as viable entities, but without a functioning central government.

3. Survival of a Central Government. Some form of viable, central control over all preattack national territory survives, but the effectiveness of this control may vary over an extremely wide range, depending on the specific nature and pattern of the attack(s).

4. Survival Intact of Basic Societal Structure. Damage to the nation is characterized as relatively limited socially, politically and economically; nevertheless, the attack is militarily destructive. This is the concept of survival envisioned in the notion of limited or controlled nuclear war. However, it should be noted that the idea that effective strategic military attacks can be benign in their impacts on society is in dispute. It is used here as a criterion without any implicit acceptance that it can be achieved. 19

There are, however, levels of strategic exchange at which even the first listed category of survival might not be relevant. At such levels, the species itself—let alone organized political, social, and economic structures—would disappear. The plausibility of such levels is underscored by the fact that the magnitude of exchange postulated in the NAS report is really quite low. Were the superpowers to exchange between 50,000 and 100,000 megatons of nuclear explosives, rather than the 10,000 megatons assumed by the report, worldwide climatological changes would imperil the physical existence of Homo sapiens.

Worldwide Nuclear War

If nuclear terrorism should lead to worldwide nuclear war, the results would represent humankind's last and most complete calamity, defying not only our imaginations of disaster, but our customary measurements as well. As the culmination of what Camus once described as "years of absolutely insane history," worldwide nuclear war would represent the final eradication of the very boundaries of annihilation.

In technical terms, the consequences of systemwide nuclear war would include atmospheric effects; effects on natural terrestrial ecosystems; effects on managed terrestrial ecosystems; and effects on the aquatic environment.

Atmospheric effects would be highlighted by greatly reduced ozone concentrations producing increased ultraviolet radiation and a drop in average temperature. Even the possibility of irreversible climatic shifts cannot be ruled out.

Natural Terrestrial Ecosystems would be affected by systemwide nuclear war through three principal stress factors: ionizing radiation; uv-B radiation; and climatic change. The cumulative effect of these three factors would render the entire planet a "hot spot" where even vast forests would show physiological and genetic damage.21

Managed Terrestrial Ecosystems would be affected by systemwide nuclear war by radionuclide contamination of foods, chromosome breakage and gene mutations in crops, and yield-reducing sterility in seed crops. The cumulative effect of these changes would be the disappearance of the technology base for agriculture. Even if there were any significant 11 survivors, a return to normal world food production would be unimaginable.22

Aquatic effects of a systemwide nuclear war would stem from ionizing radiation from radionuclides in marine waters and fresh waters; solar uv radiation; and changes in water temperatures associated with climate. Irreversible injuries to sensitive aquatic species could be anticipated during the years of large transient increase in uv-B isolation. And the range of geographic distribution of sensitive populations of aquatic organisms could be reduced.23

C2  --- Russia

Trump’s talks bring peace to ukraine.

Birnbaum yesterday [Michael Birnbaum, BA in History from Yale & national security reporter @ WaPo, 2-12-2025, Trump talks to Putin in first call after taking office, Washington Post, <https://www.washingtonpost.com/politics/2025/02/12/trump-putin-talks-ukraine-war/>, Willie T.]

President Donald Trump spoke by phone on Wednesday to Russian President Vladimir Putin in their first publicized call since Trump returned to the White House, breaking a years-long silence between the Oval Office and the Kremlin as the U.S. leader kicked off a bid to end Russia’s war in Ukraine.

Trump had warm words for the Russian leader — who has ruled Russia for 25 years and has repeatedly invaded neighboring nations and killed, imprisoned or exiled his most formidable opposition — as he declared that the two men would visit each other’s countries and “agreed to work together, very closely.”

The call, which the Kremlin said lasted nearly 90 minutes, came the same day that Defense Secretary Pete Hegseth told NATO allies that Ukraine’s stated goal of reclaiming its full internationally recognized territory was “unrealistic,” and offered a first outline of the Trump administration’s vision for a peace deal. Any deal must come with “robust security guarantees” for Kyiv, but he ruled out NATO membership and sought to place the bulk of the burden for defending Ukraine on Europe.

In the highly charged choreography of diplomacy with an adversarial leader, the Trump-Putin call was likely to upset Kyiv, since former president Joe Biden made a mantra of coordinating closely with Ukrainian leaders before any contacts with Russian officials. This time, Trump spoke first to Putin and said he would then call Ukrainian President Volodymyr Zelensky to loop him in to the conversation. Trump and Zelensky met in Paris in December.

Putin has long sought to have a direct negotiation with Washington about Ukraine’s future, since he has argued that Ukraine is within Moscow’s sphere of influence and that it has been used as a tool by NATO and the West, something that Ukrainian leaders hotly say ignores their nation’s desire to modernize and integrate more fully with Europe.

“I just had a lengthy and highly productive phone call with President Vladimir Putin of Russia,” Trump wrote on Truth Social. “We discussed Ukraine, the Middle East, Energy, Artificial Intelligence, the power of the Dollar, and various other subjects. We both reflected on the Great History of our Nations.”

He added that “we want to stop the millions of deaths taking place in the War with Russia/Ukraine. President Putin even used my very strong Campaign motto of, ‘COMMON SENSE.’ We both believe very strongly in it.”

The call came a day after Russia freed a U.S. citizen, Marc Fogel, who had been imprisoned for 3 1/2 years, into the custody of Steve Witkoff, a close Trump friend, real estate developer and the U.S. leader’s Mideast envoy.

Trump said that he had asked Secretary of State Marco Rubio, CIA director John Ratcliffe, National Security Advisor Michael Waltz and Witkoff to lead the discussions. Notably absent from the list was retired general Keith Kellogg, whom Trump appointed during the transition as his special envoy for Ukraine and Russia and has been working on a peace plan. Both Vice President JD Vance and Kellogg are headed to Munich this week to meet with senior European policymakers about the peace efforts.

Kremlin spokesman Dmitry Peskov told reporters that Putin “mentioned the need to eliminate the root cause of the conflict and agreed with Trump that a long-term settlement can be achieved through peaceful negotiations. The Russian President also supported one of the main theses of the American head of state that the time has come for our countries to work together.”

Zelensky posted a statement on his Telegram account confirming the conversation, which he said focused on achieving peace, technological capabilities including drone use and the two nations’ ability to work together.

“President Trump informed me of the details of his conversation with Putin,” Zelensky wrote, adding that he was “grateful” for the call. “Ukraine wants peace more than anyone. We are defining our joint steps with America to stop Russian aggression and guarantee a reliable, lasting peace. As President Trump said, let’s get it done.”

Trump has demanded that Putin put an end to the war, which started in February 2022, when Russia invaded Ukraine without provocation. But he has offered few concrete indications about how he would foster a breakthrough, and some world leaders are worried he could push Kyiv into a deal that would simply give Russia time to rest, rearm and reinvade.

In his first term, Trump often had sharper words for Washington’s friends than for its foes, and at a 2018 meeting with Putin, he sided with the Russian leader over U.S. intelligence agencies’ claim that the Kremlin tried to sway the 2016 election. During the 2024 campaign, Trump declared he would end the Ukraine war in less than 24 hours — worrying Kyiv that he would do so on Putin’s terms.

In January, though, Trump warned that he would impose “high levels of Taxes, Tariffs, and Sanctions” on Russia if Putin didn’t agree to a deal, “and soon,” acknowledging for the first time that he would be willing to increase pressure on the Kremlin should Russia refuse to come to terms. Before taking office, Trump appointed Kellogg, a retired general and a senior national security official during his first term, as his envoy to broker a deal. Kellogg has said Ukraine would need security guarantees as part of any deal to end the war, though he has not been specific about what those might be.

The phone call marks an important breakthrough for Putin, ending nearly three years of near isolation from Western leaders imposed by the Biden administration. The last time Putin met a United States president was at a summit in Geneva with Biden in June 2021, eight months before the Russia leader’s invasion of Ukraine. Biden engaged in a flurry of calls with Putin in late 2021 and early 2022, attempting to dissuade him from invading, at a time when Russia insistently denied plans to do so. But there has been silence since.

Trump and Putin also spoke in November, shortly after Trump’s election victory, according to people familiar with the call. During the conversation, Trump warned Putin not to escalate the war in Ukraine. The Kremlin later denied that the call took place.

Since Jan. 20, Trump has repeatedly been evasive about his contacts with Putin when pressed by reporters, refusing to make clear whether or not he had spoken to Putin. The reasons have been unclear.

Putin recently told a Russian journalist that he was ready to engage, echoing Trump’s false allegations that the 2020 election was rigged and claiming that he might not have invaded Ukraine had Trump taken the White House back then. The comments seemed calculated to flatter Trump’s ego.

Ukraine says yes --- they have leverage with Russian territory.

Hodunova this week [Kateryna Hodunova, B.A. in political journalism from Taras Shevchenko University & M.A. in political science from the National University of Kyiv-Mohyla Academy, 2-11-2025, Ukraine could trade territory in potential peace talks with Russia, Zelensky says, Kyiv Independent, <https://kyivindependent.com/zelensky-plans-to-exchange-territories-in-case-trump-manages-to-get-ukraine-russia-to-negotiating-table/>, Willie T.]

President Volodymyr Zelensky said he planned to exchange territories if U.S. President Donald Trump succeeds in bringing Ukraine and Russia to the negotiating table, according to an interview with The Guardian published on Feb. 11.

Ukraine launched a surprise cross-border incursion into Russia's Kursk Oblast in August 2024, initially capturing around 1,300 square kilometers (500 square miles) of territory. While Ukrainian forces have since lost roughly half that area, they recently advanced 2.5 kilometers (1.5 miles) in the region in a new offensive.

The Ukrainian military continues to hold Russian territory that could play "an important part" in future negotiations, Zelensky previously said.

"We will swap one territory for another," Zelensky told The Guardian, without specifying which Russian-occupied land Ukraine would seek in return.

"I don't know, we will see. But all our territories are important, there is no priority," he said.

Talk of ending Russia's full-scale invasion of Ukraine has increased as U.S. President-elect Donald Trump took office on Jan. 20.

The new administration aims to end Russia's war against Ukraine 100 days from inauguration, Keith Kellogg, Trump's special Ukraine peace envoy, said on Jan. 8.

Affirming signals US intent of regime change

Pomper 23 [Stephen Pomper, Chief of Policy at the International Crisis Group, 5-8-2023, Can Ukraine Get Justice Without Thwarting Peace?, Foreign Affairs, <https://www.foreignaffairs.com/ukraine/russia-ukraine-justice-thwarting-peace>, Willie T.]

References such as this to the Nuremberg military tribunals, which took place after World War II to hold Nazi officials accountable for both aggression and atrocity crimes, are highly resonant, but also misleading. The Nuremberg trials, as well as their counterparts in the Far East, came at the end of a globe-spanning total war that finished with the Axis powers’ defeat, surrender, and occupation, as well as the capture of their leaders. The Allies used these trials to demonstrate their commitment to the rule of law and to expose the defendants’ depravity. Because the Allies were able to impose terms on Germany or Japan, they were also in a position to try their leaders and enforce the sentences the war court passed down.

Russia’s unlawful war on Ukraine appears to be on a different trajectory. It is unclear how the conflict will end, but Russian surrender is not in the cards. One likely scenario is a negotiated deal; another is a frozen conflict. Moscow’s political leadership will remain almost certainly ensconced for the foreseeable future, and international actors will continue to need to work with them in forums such as the United Nations. Ukraine’s Western partners are trying to weaken Russia, but they are also trying to steer clear of a direct conflict, aware that any confrontation the Kremlin sees as posing an existential threat could bring the risk of escalation, including the use of nuclear weapons.

Plans to stand up a new tribunal do not easily fit into this landscape. Seeking accountability for Russian President Vladimir Putin and other senior Kremlin officials now, while Russia and Ukraine remain locked in combat, is hard to reconcile with any realistic Western war aims. A big push to prosecute Russian leaders for starting the war signals a desire to remove Russia’s leadership, risks escalation, and would almost surely complicate diplomacy to bring the war to an end. If establishing such a court ultimately proves futile, it could also weaken rather than strengthen the international criminal justice project. Rather than barreling ahead and risking a full-on collision between the interests of peace and justice, Ukraine and its partners should pursue a sequenced approach in which accountability efforts are better harmonized with the goals of conflict resolution.

A LOOPHOLE IN THE LAW

There are very few examples of war-time leaders being tried on aggression charges, and fewer still of trials that took place while the leaders were still waging war. Most precedents date back to the post–World War II International Military Tribunal, which the victorious Allies created at Nuremberg to prosecute senior German leaders. The other most notable case comes from Nuremberg’s sister tribunal held in Tokyo, which was created to try Japanese officials. There have also been a handful of domestic trials, including those conducted in Ukraine following Russia’s 2014 occupation of Crimea, including one that resulted in the in absentia conviction of Ukraine’s former president, Victor Yanukovych.

This sparse record is no accident. The powers driving the creation of the post–Cold War architecture for international criminal law—the United States chief among them—were ambivalent about lumping together the crime of aggression with so-called atrocity offenses (genocide, crimes against humanity, and war crimes). U.S. officials worried about the lack of clarity and consensus around what constitutes aggression. They also feared the exposure they might be creating for themselves and up their chains of command. The U.S. government fretted that these legal changes would hamper Washington’s ability to build coalitions to undertake operations such as NATO’s intervention in Kosovo in 1999, which lacked UN Security Council authorization and which was widely seen as unlawful. (The United States has hewed to the position that its actions in Kosovo were “legitimate,” but it has not argued that they were legal.) Senior U.S. officials were also concerned about the ICC being drawn into political thickets that would undercut its effectiveness. They foresaw that the threat of being prosecuted for aggression could impel leaders to fight to the last rather than negotiate for peace.

Against this backdrop, the ICC Rome Statute did not cover the crime of aggression when it became effective in 2002. Instead, it bracketed the issue for a later date. When member states eventually did fill in the definitional gap at a conference in Kampala in 2010, the United States quietly insisted on including a loophole that prevented the court from exercising jurisdiction over a charge of aggression against nationals of countries that were not parties to the Rome Statute, a group that includes China, Russia, the United States, and several other significant military powers, such as India, Israel, and Turkey. Moreover, even with this level of protection secured for itself, Washington did not warm to the idea of aggression as an international crime. After the Kampala conference, U.S. officials lobbied ICC member states not to ratify the aggression amendment, hoping to forestall the moment when it would come into effect, and to narrow the scope of its applicability.

Ultimately, despite U.S. efforts, the amendment took effect in 2017. But with the ICC already struggling with its caseload, and given political headwinds from the United States and elsewhere, at least some experts expected that the crime of aggression would move to the back of the international legal agenda for the foreseeable future.

RUSSIA BREAKS THE RULES AND CHANGES THE GAME

Russia’s invasion of Ukraine in February 2022 rocked the international law community. Appalled by Russia’s vast criminality—and seeing both an opportunity and an imperative to reinforce the global norm against illegal war—prominent Western scholars joined former officials (and some current ones) in calling for the creation of a judicial body that could close the international legal gap and punish Russia for its trespasses. These efforts were spurred on by vigorous Ukrainian advocacy.

Arguments in support of an aggression tribunal ranged from the moral to the practical. Many have argued that prosecuting Russian officials would be necessary to deter future wars of aggression. Brown invoked the Nuremberg tribunal’s observation that aggression “is the supreme international crime” in that it is the parent of all criminality that happens in war. Law professor Oona Hathaway noted that pursuing Putin and his associates for war crimes and other atrocities (as the ICC is already doing) would fail to account for lives and property lost in actions that may technically be permissible under the laws of war. International lawyer Philippe Sands argued that prosecuting Putin before an international tribunal would further delegitimize him, possibly create an incentive for those in his inner circle to “peel off,” and perhaps offer Ukraine leverage in future negotiations.

To date, expert discussion and media coverage have tended to focus mainly on different models for overcoming the technical barriers to prosecution, while glossing over the impracticality of these proposals. The technical issues are significant: although Ukraine’s domestic courts already have the authority to try Russians for aggression, they would almost certainly be required under international law to recognize immunities for Russia’s heads of state and government, as well as its foreign minister. Thus, a Ukrainian prosecution of Putin, at least while he is in office, would not be possible. And it’s unlikely that any prosecution on charges of aggression against Ukraine that excluded the key architect of the war would be seen as legitimate, especially since the Rome Statute definition of aggression applies only to those in a position to control or direct a state’s armed forces.

Russian surrender is not in the cards.

Against this backdrop, Ukraine (together with some of its Eastern European partners and many experts) has pressed for the creation of an international tribunal by means of a UN General Assembly resolution. A tribunal backed by the General Assembly might stand a greater, though not certain, legal chance of being able to prosecute Russia’ top leaders. Unless they came into the tribunal's custody, however, it would have to do so in absentia.

By contrast, many of Ukraine’s most important Western partners, initially led by Germany, have instead endorsed the creation of a “hybrid” court within the Ukrainian system that would draw on “international elements.” What this would entail remains vague: it might mean Ukraine’s Western backers lending advisers or financial support to Ukraine; establishing the court outside Ukraine, possibly in the Hague; or even the application of non-Ukrainian law in any prosecution by the tribunal. Germany has conceded that a hybrid tribunal would be unable to prosecute Putin while he remains in office, though such a court might at least prosecute some military leaders and Duma members who voted for the war.

Given decades-old U.S. reservations about prosecuting the crime of aggression, it was unclear whether Washington would support any of these models. But in March, after extended deliberations within the Biden administration, the U.S. government announced that it was lining up behind an “internationalized national court” along the lines of the German approach. Weeks later, the G-7 endorsed this approach. Even though this represented a remarkable movement away from the traditional U.S. posture, the reaction from Kyiv was distinctly chilly. Andrii Smyrnov, the deputy head of Ukraine’s Presidential Office, suggested that a hybrid tribunal would be unconstitutional and expressed concern that it would demote the crime of aggression to a bilateral dispute rather than a matter of international concern. Other Ukrainian officials and frustrated scholars worried that an aggression court with no hope of prosecuting Russia’s top leader would not be worth its salt, and they criticized the United States for showing too little ambition at a historic moment. At his speech in The Hague, Zelensky flatly rejected the hybrid model, calling into question the viability of an approach that presupposes Ukrainian buy-in and cooperation.

REAL WORLD WORRIES

The technical challenges surrounding efforts to set up an aggression tribunal are significant, no matter which model is pursued. But the even bigger—and in our view more consequential—geopolitical costs and practical challenges of creating such a tribunal tend to be overlooked. A fuller reckoning would recognize that to establish an aggression tribunal at this moment in the war would be difficult to reconcile with both global attitudes and battlefield realities.

First, states in the so-called global South have been decidedly cool to the idea of aggression prosecutions. With often fragile economies and their own national interests to look after, few want to be put in a position where they must choose between rival great powers squaring off in a war that is for them geographically remote. These countries are also conscious of the extent to which modern global criminal justice efforts have focused on countries such as theirs, particularly those that have been adversaries of the West. By contrast, they consider that Western powers and their partners have been ringfenced from facing accountability for their own abuses in places such as Afghanistan and Iraq.

These concerns have started to surface at the UN. Late in 2022, Ukraine unsuccessfully floated a UN General Assembly resolution endorsing the idea of a tribunal and asking Secretary-General António Guterres to set out options for its creation. Some skeptical European officials predict such a proposal to establish a tribunal might get as few as 60 and perhaps no more than 90 votes—out of 193 member states—if a vote is held in the UN General Assembly. At a recent Brookings Institution event, Martin Kimani, Kenya’s ambassador to the UN who forcefully denounced irredentism and the unlawful use of force on the eve of Russia’s invasion, cautioned against “believing that legalism will deliver us from this major conflict and its escalation dangers.” For Western states eager to maintain the most united possible global front against Moscow, these words – from perhaps the United States’ closest partner in East Africa – merit careful consideration.

Russia’s invasion of Ukraine rocked the international law community.

A second basket of concerns is more practical. Simply put, proceedings that target Russia’s sitting leadership clash with Western objectives in a way that the post-World War II prosecutions of German leaders did not. Probably most worrying is what these efforts communicate to Moscow about the West’s designs for effecting regime change in Moscow, an end state that Western leaders have taken pains to say they do not seek. Creating a tribunal would signal to the Kremlin that its options are either to win and remain free or to lose and face prosecution, making the war’s stakes existential for leaders that control the world’s largest nuclear arsenal. (Arguably arrest warrants that the ICC has issued against Putin and one of his commissioners already do this; creating an aggression tribunal would unhelpfully reinforce that message.)

Creating a judicial body to prosecute Russian leaders for the crime of aggression would also complicate future diplomacy. If and when negotiations to end the war get under way, Russia will almost certainly ask for a release from criminal liability as part of any settlement. It is unclear how Western countries would respond this request. The UN Security Council may have powers that would allow it to supersede international obligations relating to the tribunal, and Kyiv might be able drop charges or grant clemency in the case of a hybrid court, but political considerations could make it hard to wield these tools. Standing up a new aggression court could also gum up what little is left of East-West diplomacy on issues such as the Black Sea grain deal as well as priority areas distinct from the war, including humanitarian access in Syria, assistance in Afghanistan, and peacekeeping in Africa.

The last area of concern is in the realm of principle. An ad hoc tribunal created to prosecute Russian officials would have no jurisdiction over crimes of aggression being committed outside Ukraine – giving a free pass to Western countries and their partners. This would only reinforce the view of Global South countries that the United States and its allies see international criminal justice institutions as a selective tool that applies only to their adversaries.

MOSCOW IS UNLIKELY TO FALL

Perhaps these would be risks worth taking if the purported benefits of establishing a new aggression court were certain, but many of the asserted upsides seem more rooted in aspiration than a sober assessment of costs and benefits. The reality is that the power wielded by a nuclear-armed Russia is not analogous to Nazi Germany after its defeat, nor to the countries and regions where ad hoc tribunals had some success in the post-Cold War period. Putin and his inner circle are well entrenched. Few analysts see much likelihood of them leaving power either during or at the end of the war. It is no easier to imagine Russia surrendering Putin (or for that matter Duma delegates or Russian flag officers) than it is to imagine the United States surrendering Bush administration officials to a judicial body for invading Iraq.

Thus, whatever form an aggression court or tribunal takes, it will have to make a choice. It can conduct trials in absentia, which would hardly make the court a beacon of due process and the rule of law. Or it can pursue no trials at all, and risk perversely amplifying the sense that aggressors can act with impunity. In the meantime, there seems little reason to hope that the unenforceable threat of prosecution for aggression will create useful leverage over the Kremlin, or lead to the “peeling away” of his inner circle.

So why do proposals for an aggression tribunal continue to enjoy the traction that they do? The prospect of entrenching the norm against aggressive war has enormous appeal. As international lawyers, we are familiar with the stirring speech that Supreme Court Justice Robert Jackson, on loan to the Nuremberg tribunal, offered in his opening remarks on November 21, 1945, when he spoke of the proceedings as “one of the most significant tributes Power has ever paid to Reason.” We also share the fervent wish to see power once again bend the knee to international law in the service of a more peaceful world. Right now, however, that lies outside the realm of the possible, and trying to create legal accountability without adequate consideration of the impact on conflict resolution in Ukraine could well render a horrific situation that much messier.

Extinction, nuclear winter. Starr 15

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[https://ratical.org/radiation/NuclearExtinction/StevenStarr022815.html)//](https://ratical.org/radiation/NuclearExtinction/StevenStarr022815.html)/) JZ

A war fought with 21st century strategic nuclear weapons would be more than just a great catastrophe in human history. If we allow it to happen, such a war would be a mass extinction event that ends human history. There is a profound difference between extinction and “an unprecedented disaster,” or even “the end of civilization,” because even after such an immense catastrophe, human life would go on. But extinction, by definition, is an event of utter finality, and a nuclear war that

could cause human extinction should really be considered as the ultimate criminal act. It certainly would be the crime to end all crimes. The world’s leading climatologists now tell us that nuclear war threatens our continued existence as a species. Their studies predict that a large nuclear war, especially one fought with strategic nuclear weapons, would create a post-war environmentin which for many years it would be too cold and dark to even grow food. Their findings make it clear that not only humans, but most large animals and many other forms of complex life would likely vanish foreverin a nuclear darkness of our own making. The environmental consequences of nuclear war would attack the ecological support systems of life at every level. Radioactive fallout, produced not only by nuclear bombs, but also by the destruction of nuclear power plants and their spent fuel pools, would poison the biosphere. Millions of tons of smoke would act to destroy Earth’s protective ozone layer and block most sunlight from reaching Earth’s surface, creating Ice Age weather conditionsthat would last for decades. Yet the political and military leaders who control nuclear weapons strictly avoid any direct public discussion of the consequences of nuclear war. They do so by arguing that nuclear weapons are not intended to be used,

but only to deter. Remarkably, the leaders of the Nuclear Weapon States have chosen to ignore the authoritative, long-standing scientific research done by the climatologists, research that predicts virtually any nuclear war, fought with even a fraction of the operational and deployed nuclear arsenals, will leave the Earth essentially uninhabitable.

c3 --- Taiwan

Xi’s legitimacy is sustained now --- patterns of CCP leadership prove he’s bluffing BUT declaration of independence is the red line.

Roy 24 [Denny Roy, Senior Fellow at the East-West Center in Honolulu specializing in Asia-Pacific strategic and security issues.  He holds a PhD in political science from the University of Chicago, 4-17-2024, Why China remains unlikely to invade Taiwan, Lowy Institute, <https://www.lowyinstitute.org/the-interpreter/why-china-remains-unlikely-invade-taiwan>, Willie T.]

Plenty of Americans — including senior military officers, academics, and politicians — think Chinese leader Xi Jinping sees war as the best option. Those making this argument typically say Xi is tired of waiting for unification to happen peacefully, sees a military window of opportunity, or has set a deadline for finishing the job. Some think China’s recent economic problems create an incentive for Beijing to launch a diversionary Taiwan war.

We cannot know Xi’s priorities with certainty. Nevertheless, from what we can observe, an elective war against Taiwan is hardly a compelling proposition for Xi’s government.

Even with China’s massive arsenal of modern warships, combat aircraft and missiles, Beijing is nowhere near the level of superiority that would guarantee a successful invasion given the probability of US and Japanese military resistance. Xi would need to worry about more than ferrying enough forces and their supplies across the Strait through the gauntlet of Taiwanese, US and Japanese ships, missiles, submarines, mines and drones. A cross-Strait war would disrupt regional economic activity, threatening the livelihoods of millions of Chinese. The resulting social turmoil could endanger Xi’s rule.

A Chinese blockade of Taiwan’s ports would be less risky, but would have disadvantages. Taiwan’s government may choose to resist. Beijing’s action would stimulate increased anti-China cooperation around the world; China could expect to suffer sanctions over a long period. And the United States would have ample time to surge forces into the region to assist Taiwan.

Beijing’s attempts to intimidate the US government into abandoning support for Taiwan have failed. Helping Taiwan to defend itself remains bipartisan US policy, even supported by Republican Party politicians who want to stop arming Ukraine. Despite the longstanding US policy of “strategic ambiguity”, President Joe Biden has publicly stated four times that US forces would intervene in Taiwan’s defence.

Xi doesn’t necessarily need to solve the Taiwan problem during his tenure to earn a legacy in Chinese history. Xi has three huge domestic projects. The first is restoring the primacy and authority of the Communist Party, which prior to Xi’s tenure as general secretary had suffered a decline in prestige due to rampant corruption, decentralised governance and the empowerment of civil society. The second is what Xi sees as ideological purification, including cleansing China of “Western” ideas and values. Third, Xi must oversee the transition of China’s economy from reliance on exports and investment in infrastructure to a new model that can maintain robust growth and advance China from a middle-income to a high-income country. Success in these projects would be enough to secure glory for Xi, who already enjoys a section in the Party’s constitution honouring “Xi Jinping Thought.”

A struggling economy does not make Beijing more likely to launch a war. China’s economic malaise appears to have dampened the Chinese public’s enthusiasm for a Taiwan campaign. The natural reaction to a lack of strength at home is to be more cautious in foreign affairs, not more aggressive. Thus, the appearance of serious issues in China’s economy in 2023 led to Xi trying to lower tensions with the United States, and a direct appeal to the business community to invest more in China during Xi’s visit to California last year.

Several US commentators and politicians raised alarm about Xi purportedly “warning” Biden during the California summit that China plans to forcibly seize Taiwan. A more accurate summary of Xi’s remarks would be that he restated the decades-old mantra that unification will happen. He gave no timeline, he said he hoped it would occur by peaceful means, and he denied that his government has a plan to attack Taiwan.

Like any People’s Republic paramount leader, Xi must repeat the promise of eventual unification, build up a military machine that deters independence, insist that the international community adheres to the “one China” principle, and maintain pressure on Taipei to enter negotiations with Beijing. There is no indication that Xi’s position in China is in jeopardy due to a perception he is not tough enough toward Taiwan.

Xi needs merely to avoid Taiwan declaring formal independence. If Taiwan did do so, Xi would probably opt for war. But even Taiwanese governments controlled by the Democratic Progressive Party, which rejects the idea of Taiwan being part of China, have shown that they will not cross this line.

Xi reached the pinnacle of the Party hierarchy through a career of careful positioning and quiet ruthlessness, not by taking grand gambles. Since then, he has shown a preference for grey-zone tactics. There is no convincing reason to expect him to rush to a military showdown over Taiwan.

US opposition deters Taiwan from joining --- affirming flips this. Attempts alone allows for internationally legitimate discussions of statehood.

Chhabra 24 [Sasha B. Chhabra, Internationally recognized expert on Chinese foreign policy, Taiwanese politics, and human rights, 08-27-2024, Central European Institute of Asian Studies, <https://ceias.eu/europe-should-embrace-taiwan-inside-the-international-criminal-court/>, Willie T.]

Although Taiwan is largely excluded from international institutions due to Chinese pressure, it would face fewer obstacles in joining the ICC, an institution that China is not a part of, which can be done through a unilateral declaration. Most nations have joined the ICC’s jurisdiction by depositing an instrument of accession to the Rome Statute with the United Nations, but Palestine and Ukraine successfully submitted to the Court’s jurisdiction by a simple unilateral declaration3. In 2015 and 2019, the ICC confirmed this as a valid accession method and extended its jurisdiction to these territories. These precedents were further reinforced when the ICC issued arrest warrants for Russian officials, including President Vladimir Putin, and when the ICC Prosecutor’s Office applied for arrest warrants for Israeli and Hamas officials, including Prime Minister Benjamin Netanyahu and Hamas leader Yahya Sinwar. While the question of whether states can join ex ante—prior to the commission of alleged war crimes—is unsettled, simply initiating the process sends the right signals to the international community that Taiwan stands with international law and justice, as well as to China, and that Taiwan and its allies stand ready to initiate ICC proceedings in the event of aggression against the status quo.

Many of Europe’s larger economies and more politically cautious states, such as Germany, have prioritized unofficial relations with Taiwan, focusing on economic engagement and security, such as attracting a major new production facility from the Taiwan Semiconductor Manufacturing Company (TSMC). The €3.47 billion facility in Dresden would produce some of the world’s most advanced microchips within the European Union. However, smaller European states— particularly those in Central and Eastern Europe with memories of communism and colonial domination—have emphasized symbolic support for Taiwan, such by renaming Taiwan’s representative office in Vilnius or the Czech Senate president, Miloš Vystrčil, declaring that “I am Taiwanese” [我是台灣人] during a visit to the Taiwanese legislature in 2020. Critics argue that China’s retaliatory economic sanctions—including informal secondary sanctions on Lithuanian auto parts and canceled purchases of Czech pianos—show that symbolic moves only exacerbate tensions and are not worth the apparent risk.

In reality, both approaches are vital. Binding Europe’s economic future with Taiwan’s gives Europe a self-interested reason to care about Taiwan’s continued independence. Moreover, framing this support around the narrative that Taiwan is a beacon of freedom and democracy can build public support and solidarity within Europe for the Taiwanese people, a way of countering China’s disinformation campaigns. The risks inherent in both strategies necessitate finding approaches that are both substantive and symbolic. In other words, symbolic steps should be taken if they also carry practical benefits, while substantive measures to develop ties should have a clear and demonstrative symbolic component as well.

Taiwan and the ICC

Towards the end of now-former President Tsai Ing-wen’s administration, a panel of Taiwanese experts recommended that the government explore uniliteral accession to the ICC, which would require harmonizing Taiwanese law with the Rome Statute. However, no action has been taken since Lai Ching-te became president in May of 2024. The hesitation appears to stem from concerns that an attempt may fail, leading the ICC to opine that Taiwan is part of China, and that joining the court could strain relations with Taiwan’s main ally, the United States, which remains antagonistic towards the ICC. However, neither concern is particularly grave—and European states can try to alleviate Taiwan’s anxieties. Alleviating Taiwanese anxieties and publicly and privately backing Taiwan’s bid to join the court may also build domestic consensus within Taiwan on the issue.

For instance, on the question of statehood and territorial determinations, in 2021, the ICC noted that it is “not constitutionally competent to determine matters of statehood that would bind the international community. By ruling on the territorial scope of its jurisdiction, the Chamber is neither adjudicating a border dispute under international law nor prejudging the question of any future borders.” Thus, there is no danger of the ICC issuing a ruling that Taiwan is legally part of China. Even if an attempt to join the court were unsuccessful, the public process of litigating the question through legal briefs and public statements would provide Taiwan with a platform to articulate the legal argument for Taiwanese statehood. As a partially-recognized state, it meets all criteria for statehood under the Montevideo Convention of 1934 as the “Republic of China” (ROC). The ROC (Taiwan) [中華民國台灣], as a concept, is the “non-consensus consensus” political identity within Taiwan. Although different political camps within Taiwan identify more strongly either with “Taiwan” or the “Republic of China,” the mainstream of both major political camps have compromised around the term ROC (Taiwan).

Xi must respond --- independence decks CCP legitimacy and risks secession movements.

Yeung 19 [Jun Tao Yeung, Bachelor of Government and Laws from the University of Hong Kong, 10-29-2019, Why Is Taiwan So Important? The Manipulation Of Nationalism In Legitimizing One-party Rule In China, Yale Review of International Studies, <https://yris.yira.org/essays/why-is-taiwan-so-important-the-manipulation-of-nationalism-in-legitimizing%E2%80%8B-one-party-rule-in-china/>, vh + wt]

Experts in international relations must ask themselves: why is Taiwan so important to China such that Beijing has to emphasise its forceful attitudes towards Taiwan independence advocates? Compared to the mainland’s population of nearly 1.4 billion[7] and area of 9,388,211 km², Taiwan is just a very small island with a population of 23.58 million[8]and area of 35410 km² [9]. The military power of Taiwan is totally outweighed by that of the mainland.[10] Given the military superiority enjoyed by the mainland over Taiwan, the latter certainly constitutes no military threats to the former. Then, why is Beijing so eager to unify the island which is extremely small compared to the mainland upon which it bases its rule? Both realist and liberalist perspectives in the field of international relations fail to explain why the Chinese Communist Party (CCP) is eager to declare its sovereignty over Taiwan. The realist perspective argues that mainland China and Taiwan are two strategic competitors, competing with each other through either balance of power or balance of threat.[11]However, it cannot explain why the mainland still escalates its military actions towards Taiwan when the island no longer constitutes any tangible threat. The liberalist perspective holds a firm belief that the social and economic cooperation between the mainland and Taiwan will lead to political integration. However, it fails to explain why the two sides have remained hostile towards each other recently. This essay attempts to argue that the main audience of Beijing’s Taiwan policy is neither Taiwan nor the international community, but the people in the mainland instead. In this essay, I find that the major purpose of Beijing in standing firmly against the Taiwan independence movement is to legitimise the one-party rule of CCP over the mainland China instead of unification. The first part will provide a brief background on different sources of legitimacy employed by authoritarian regimes. Next, the background of nationalism in the history of modern China will be discussed. Third, the role of how nationalism affects Beijing’s attitude in its territorial disputes with its neighbouring countries will be analyzed. Finally, the means by which the CCP creates a nationalist image by standing firmly against the Taiwan authority will be examined. Legitimising Authoritarian Regimes Legitimacy has long been a headache for authoritarian regimes. In order to sustain long-term existence, simply relying on repression and coercion is insufficient.[12] Without societal support, the regime needs to employ a large military force in repressing dissidents and vast resources on monitoring citizens, incurring a large cost to the regime. Legitimacy refers to the rightfulness and justification of the authority in ruling a territory. With legitimacy, the authority can prove to the citizens why they should consent to be subordinate to the authority and observe the rules set by such authority. The authority can then secure societal support. This makes governance more effective and less expensive, and in turn makes the authoritarian regime more enduring and sustainable. Authoritarian regimes usually suffer the problem of a legitimacy deficit that democratic governments do not.[13] In a modern democracy, the institutional arrangement, which is usually popular voting, guarantees that popular support is the prerequisite for the ruler to stay in power. It solves the problem of legitimacy, as the ruled public decides who will be the ruler. However, an authoritarian regime is one that implies the institutional arrangement excludes the ruled public from deciding the leader. Political participation by ordinary citizens is excluded. Therefore, the ruler does not have the direct endorsement of the ruled public and can hardly claim to represent the public. In order to survive for a long period of time, an authoritarian regime can not only rely on coercive apparatus suppressing any revolts and dissidents, but they also need to overcome the legitimacy deficit to prevent the questioning of its legitimacy by the public.[14] The CCP, as an authoritarian regime in East Asia, suffers from the problem of a legitimacy deficit which its democratic neighbours such as Japan, South Korea, and Taiwan do not share. It lacks regular and universal elections that allow citizens to select their leaders and vote the noncompetitive officers out of office. Civil liberties and political participation are also limited which prevent the citizens from voicing their opinions against the government. Therefore, the CCP has to resort to various means in legitimising itself in order to claim that it represents the 1.4 billion Chinese people under its rule. Traditionally, the CCP has adopted ideological adaptation as its major source of legitimacy by framing itself as leading the class struggle and creating a brand of communism ideal for China.[15] According to the Chinese constitution, the “highest ideal and the ultimate goal” of the CCP rule is to achieve communism in China. The achievement of communism is the major reason why the CCP’s one-party rule is a must for China and any opposition to it must be suppressed. However, this created a dilemma for the CCP when it initiated market reforms in the late 1970s.[16] As part of these reforms, the CCP replaced the original communist policy with quasi-capitalist economic policies, moving away from the communist ideal it aimed to establish towards establishing a capitalist society. The state no longer controls all significant industries and economic sectors in the country.[17] Private enterprises are allowed to be established and play an important role in propelling economic growth. The CCP even amended its ideology in various ways in order to justify the economic reform. In 2002, the “Three Represents” slogan promoted by former Secretary General Jiang Zemin was added to the Constitution, which suggested that the CCP not only represents the workers and farmers, but also the new “advanced productive forces’ of urban economic and social elites. In 2004, Article 11 of the Constitution was amended to guarantee the protection of the rights, interests and legality of individual and private enterprises by the state. These actions show that the CCP is moving away from the communist ideology it once claimed. Ideological adaptation can therefore no longer provide sufficient legitimacy in justifying the CCP’s one-party rule. In view of this, the CCP also tries to justify its rule by its economic performance.[18] Performance legitimacy has been widely adopted by authoritarian regimes in justifying their rules. In performance legitimacy, the regime establishes its legitimacy by achieving certain concrete goals, such as strengthening national power and economic growth. The CCP has adopted the strategy since the market reform in the late 1970s.[19] The CCP also openly states its ‘Two Centenary Goals “ by the years 2021 and 2049.[20] By the year 2021, which marks the centenary of the establishment of the CCP, China would have doubled its GDP and GDP per capita from the levels of 2010 and transformed China into a prosperous society. By 2049, the centenary of the founding of the PRC, China would have the GDP per capita at the level of moderately developed countries and realised modernisation. Since the market reform, China achieved an economic miracle enviable to many.[21] Statistics find that the Chinese economy experiences an average annual growth of 9.7% since 1970. Besides this, the size of China’s GDP rose from the eighth in the world in 1980 to the second in 2010, surpassing many successful economies, such as Germany, France and Japan. The economic growth achieved by China in the past several decades does legitimise the CCP’s rule to a large extent. However, the CCP government is well aware of the shortcomings of performance legitimacy. If the government can no longer fuel economic growth as enormous and rapid as before and fails to provide the social economic welfare expected by its citizens, the regime will fail to legitimise itself.[22] An especially alarming example is the fall of Suharto’s regime in Indonesia during the 1997 Asian financial crisis.[23] In the 1980s, Suharto began to rely on performance legitimacy by bringing economic prosperity to the country. He was successful at the beginning, doubling the GDP per capita between 1984 and 1996. However, when the Asian financial crisis enveloped the region and dealt a hard blow to the economy in 1997, Suharto lost power in a popular uprising. This reveals the undeniable fact that performance legitimacy cannot guarantee survival of a regime given that no economy grows forever. In 1989, the crisis of economic legitimacy led to a nationwide demonstration, which caused one of the most serious legitimacy crises in post-1949 history of China. The economic reform also caused serious social problems such as rising income disparities, regional development imbalances, deficits in the provision of public goods, and growing employment.[24] The CCP noticed that it could not rely on its economic performance as the sole source of legitimacy and must seek other bases of legitimacy. Had the CCP solely relied on economic performance, it would have been very unlikely that it would still hold power when its economic growth decelerated in recent years[25]. In view of the shortcomings of both ideological legitimacy and performance legitimacy, the CCP regime realised that nationalism is the strongest weapon in legitimising its rule over the country. Capitalising on the history of modern China and boosting the nationalist atmosphere, the CCP successfully employed nationalism to legitimise its rule by standing firm in various territorial disputes and exploiting the Taiwan agendum. Nationalist Narratives Created by the CCP The historical memory in the 19th and 20th centuries shared by millions of Chinese provides a hotbed for the rise of nationalism in China. To many Chinese, the narratives of the history of the 19th and 20th centuries are filled with national shame and humiliation.[26] Since the first Opium War (1839-1842), China experienced a continuous period of invasions by foreign imperialists. The period between the first Opium War and the Second World War marked the weakest period of China in its history. China suffered foreign invasions in various external wars, including the First Opium War, the Second Opium War (1856-60), the Eight Nation Allied Army’s invasion (1900), Japan’s Twenty-one Demands (1914) and the War of Resistance against Japanese invasion (1937-1945). In these invasions, China surrendered its territories to foreign powers as either colonies or semi-colonies. With this history, the CCP included four features in its nationalist narrative templates: (i), China was invaded by imperial powers, (ii) enormous crimes were committed against China by these imperial powers, which included forcing China to accept a series of unequal treaties, compromising Chinese sovereignty, (iii) some heroic Chinese bravely resisted the invasion of imperial powers in spite of the failure of the weak and corrupt government to do so, and (iv) the CCP successfully led the Chinese to win the eventual and ultimate victory against imperialists and restore the national spirit.[27] All these point to the fact that the CCP is the true savior of the nation from foreign invasion and humiliation. Making use of the historical memory of the century of national shame and humiliation, the CCP narrates that it has a historical role in saving the Chinese nation and restoring the national strength. The preamble of the Constitution states that the establishment of the People’s Republic of China (PRC) was a “glorious revolutionary tradition” that overthrew the imperialism that made China a semi-colonial country.[28] It emphasises that the CCP, under the leadership of Chairman Mao Zedong, ignited such a revolution. Besides, the leaders of the CCP also in various occasions emphasise the historical role of the CCP in revitalising the nation.[29] The CCP Secretary General Xi Jinping pledged for a “great rejuvenation of the Chinese nation” by 2049, which means that China will once again appear as a global power by that time. The nationalist mission and agenda of the CCP justify its exercise of the sovereignty of China, consolidate the popular support of its rule and build its legitimacy. The CCP benefits from the nationalist narratives and nationalist legitimacy two main ways. First, it successfully demonises any foreign criticisms on its political system by branding them as an attempted humiliation of Chinese sovereignty. This invalidates all foreign criticisms on its rule. One example is that the CCP manipulated the history of the destruction of Yuanmingyuan, an old summer palace in Beijing for the Qing dynasty, in creating its historical narratives. Yuanmingyuan was burned to the ground by British and French troops in 1860, and many antiques in the palace were transported to western countries.[30] During the 1980s, the CCP began to construct the historical legacy of the palace by creating the Yuanmingyuan Ruins Park and included it firmly in the CCP political agenda. In the early 1990s, the CCP launched the Patriotic Education Campaign to remind the Chinese people of the humiliation by foreign powers, allowing them to be demonized. This successfully triggered nationalist sentiment among Chinese.[31] An ultra-nationalist blogger Wei Yahua wrote a blog called “Is the Humiliation of the Burning of Yuanmingyuan Repeating Itself?”. In this blog, he argued that foreign powers did not respect the sovereignty of China and always entered the nation unhindered. In a blog entitled “The Regret of Yuanmingyuan, the writer reminded his fellow Chinese not to forget the past of the nation, saying that history would repeat itself otherwise. The effect of the manipulation of such national sentiment is clearly depicted in later diplomatic conflicts with foreign countries.[32] When the US-led NATO army accidentally bombed the Chinese embassy in Belgrade in May 1999, an article in the People’s Daily newspaper echoed the bombing with the burning in Yuanmingyuan. In the 2008 Beijing Olympics, some French demonstrators disturbed the Olympic torch relay as a protest against human rights records in China. Xinhuashe Zhongwen Xinwen News Agency soon issued an article criticising the hypocrisy of the French protesting by arguing that their actions against the Yuanmingyuan only makes their human rights claims invalid. It can be seen clearly that the nationalist legitimacy of the CCP rule demonises all foreign criticisms against CCP rule. When any foreigners criticise or protest against the CCP’s authoritarian rule, the CCP simply resorts to two types of logic. First, the CCP argues that the foreigners must apologise to the Chinese people for the humiliation and invasion in the past before they criticise the CCP’s rule. Second, they frame the foreigners’ criticism as another attempt to intervene in Chinese internal affairs and compromise Chinese sovereignty. In order to preserve Chinese national dignity, the CCP must not surrender to foreign criticism. These two methods successfully demonise foreign criticism and secure the popular support for the CCP’s authoritarian rule. This was clearly depicted in the Google-China dispute in 2010.[33] On 12 January 2010, Google’s chief legal officer David Drummond announced that Google was considering the option of shutting down in China as the Chinese government did not allow freedom of speech on the web. To the surprise of many, the Google-China dispute did not prompt any soul-searching among the Chinese or raise awareness of their lack of political freedom. Instead, the Chinese took the dispute as another instance of foreign powers attempting to build a hegemony over China. As a result, many nationalist slogans resulted from the netizens, such as, “Drive away Google, drive away imperialistic America’s hegemony! Strengthen our China.” The nationalist sentiments shift public attention away from the reflection on the Chinese political system to the topic of humiliation. Nationalist sentiment also gives the CCP a strong bullet in rejecting any call for democratic transition within the territory. When there is any dissent within the territory urging an end to the authoritarian rule of the CCP towards a democratic transition, the CCP can simply announce that the democratic movement is a veil of another foreign intervention. In 2014, Hong Kong people launched the Umbrella Movement in protesting against Beijing’s policy in forbidding universal suffrage in Hong Kong. In rallying support of the CCP’s rule, Beijing put the blame on foreign interference to hostile governments in driving the movement. The Foreign Ministry released a statement attributing blame to the foreign media for urging foreign governments to interfere in Chinese home affairs.[34] This kind of propaganda successfully rallied mainland Chinese to condemn the movement.[35] Pro-movement Hong Kong celebrities such as Chapman To Man-chak, Anthony Wong Chau-sang and Denise Ho Wan-sze were said to betray the Chinese blood for giving their support of the movement, banning them from performing in the mainland. After the movement, Denise Ho was never invited to any performance in the mainland, while Anthony Wong Yiu-ming had two shows in the mainland “indefinitely postponed” by concert organisers.[36] A talk at the Chinese University of Political Science and Law in Beijing by lyricist Lin Xi, who wrote the lyrics for the song Hold Up Your Umbrella to support the movement, was cancelled. The CCP employs similar tactics in handling the claim of the political dissidents for democratic transitions. When certain political dissidents call for democratic transitions, the CCP simply dismisses the claims by blaming foreign interventionists. This was the case in Liu Xiaobo dispute in 2010.[37] Liu was a political dissident in mainland China and also a co-author of Chapter 08, which called for an independent judiciary and freedom of expression in China. In 2009 he was charged with having “the goal of subverting our country’s people’s democratic dictatorship and socialist system” and was imprisoned for 11 years. In 2010 he was awarded the Nobel Peace Prize. The chairman of the Nobel prize committee Thorbjorn Jagland called for the immediate release of Liu. The foreign ministry of China then criticised the committee for interfering with China’s internal affairs and infringing upon China’s legal sovereignty. In July 2015, the Chinese authorities apprehended more than 100 lawyers and activists and accused them of being involved in “criminal gangs.”[38]In response to the criticism of the detentions by the UN High Commissioner for Human Rights, Beijing dismissed the claims as another instance of foreign interference in its internal affairs. These two routine responses show that Beijing can deny any democratic transition, accusing activists of being backed by foreign agencies and undermining Chinese sovereignty. CCP’s Attitudes in Various Diplomatic Conflicts In order to prove itself as the leader of the revolution that revitalises the national pride and spirit of China, the CCP must display a firm stance against foreign countries when conflicts between China and foreign countries appear to infringe upon the exercise of Chinese sovereignty. This firm attitude can be seen in the nationalisation of the Diaoyu Islands by Japan in 2012 and the border conflicts in Tibet region in 2017. The Diaoyu Islands (The Senkaku Islands) have been a long dispute in Sino-Japanese relations.[39] Both countries claim the islands as their own territories, despite the fact that the territory is under practical control of Japan. Then Prime Minister Yoshihiko Noda announced his plan to nationalise the islands. The nationalisation led to large-scale demonstrations in China, resulting in damages of property worth hundreds of millions of dollars to Japanese owned stores and factories. Beijing even initiated military actions around the islands, including the regular dispatch of Maritime Surveillance Agency (MSA) ships in the surrounding waters and deployment of the People’s Liberation Army Navy (PLAN). In September 2012, Beijing increased the scale of law enforcement patrols around the islands. The Chinese law enforcement activity in the disputed area was formalised. The action was unprecedented and much firmer than before. The territorial conflict between China and India in 2017 is another example of the CCP showing its firm attitude against any foreign intervention in its own territory. China and India have a long history of territorial disputes in the Tibet region.[40] Disputed territories in Tibet include the eastern sector and the western sector. In 1962, China waged a war against India in the disputed territories in response to India’s establishment of military posts there. Despite the fact that China withdrew its army within one month after the war started, the territorial dispute has remained unresolved. In 2017, China planned to build a road on the border, which India claimed would give China access to India’s strategic positions.[41]Indian border guards then created a human wall in the border and prevented Chinese workers from building the road. Beijing retained a firm stance against India by sending troops to the border region which resulted in a stand-off between the two sides and stopped 57 Indian pilgrims from entering Nathu La pass in Sikkim on their way to a holy Hindu site in Manas Sarovar lake in Tibet. Beijing also demanded India to unconditionally withdraw the troops. Finally, the two countries resolved the conflict by withdrawing all troops from the border. Both incidents are territorial disputes where China engaged China and neighbouring countries. In the two disputes, the Chinese authorities stood firmly in asserting sovereignty over the disputed territories by deploying troops to the disputed areas. Such action is necessary for the CCP to legitimise its rule by claiming that it rejuvenates the national spirit. By standing firmly against foreign powers during the dispute, the CCP can claim to the domestic audience that it is capable of protecting the nation and is therefore the only legitimate government in the territory. Any attempts to overthrow it must be cracked down upon. Taiwan in Chinese Nationalism Taiwan is in a difficult position regarding Chinese nationalism due to historical reasons.[42] Nationalism is a relatively modern concept and only found its way to China in the late-Qing period (1842-1912). It had not had its first Chinese translation until 1901 when the Chinese scholar Liang Qichao referred nationalism to the Chinese phrase minzu zhuyi. The doctrine of nationalism was not imported to China without difficulties. The revolutionary Sun Yat-sen acknowledged that there had never been the existence of a Chinese national identity and noticed that members of Chinese nation were like a “heap of loose sand.” The building of the Chinese nation and the Chinese national identity only took place in the 1930s when Taiwan was occupied by Japan. Taiwan was therefore excluded from the process of Chinese nation building. In the 1920s and 1930s, many Taiwanese revolutionary organisations had the objective of establishing Taiwan’s independence from Japan, rather than reunification with China.[43] At that time, the national identity of the Taiwanese people was not yet established. In 1949, Kuomintang (KMT) lost the civil war within mainland China and retreated to Taiwan. The KMT had a strong historical and social lineage with the mainland.[44] It believed that there was only one China, which is the Republic of China (ROC), and both Taiwan and the mainland were part of this ROC.[45] The KMT also bore the ultimate mission to liberalise the mainland which it lost to the CCP during the civil war. The KMT government instructed the public education system to promote the Chinese identity, displaying maps and flags of the ROC and teaching Sun Yat-sen’s “three principles of the people”. During the KMT’s rule in Taiwan before the democratic transition, the KMT tried to build up the Chinese national identity awareness among the Taiwanese people and down play the pan-Taiwanese identity. Despite this, the pan-Taiwanese identity still begins to emerge and replace the Chinese national identity, which first motivated the CCP to assert its sovereignty over the island. In the 1980s, Taiwan was transformed from a one-party authoritarian system to a multiple-party democracy, with the KMT and the DPP as the two dominant parties. The DPP was a pro-independence party and aims to replace the Chinese national identity with the Taiwanese one.[46] In 2000, Chen Shui-bian won the presidential election and became the first non-KMT president of Taiwan. During his eight years in office from 2000 to 2008, he promoted a “de-Sinification” series, which included the promotion of Xiangtu Wenxue(native literature) and adding the word “Taiwan” to the passport jacket. The school curricula were also amended to emphasize the unique cultural and historical characteristics of Taiwan. Taiwanese people experienced a significant change in their identity recognition.[47] According to a survey conducted by the Institute in Political Science at the National Sun Yat-sen University in 2015, 74% of Taiwan’s people identify themselves as Taiwanese rather than Chinese. This echoes with the study of the National Chengchi University’s Election Study Center, which showed that the percentage of Taiwan’s people who identified themselves as Taiwanese increased dramatically from 17.6% in 1992 to 59.3% in 2016, while the percentage of people identifying themselves as Chinese fell from 46.4% to 33.6%. Both surveys indicated that a majority of Taiwan’s people do not identify themselves as Chinese. Besides, the Taiwanese people’s support of unification also decreased significantly.[48] Various surveys by Opinion Research Taiwan, the Election Study Center of National Chengchi University and TEDS concluded that the percentage of people supporting unification fell from 56.9% in 1992 to 15.8% in 2016 whereas the percentage of people who would rather desire for the status quo increased from 30.6% to 52.3% in the same period. All these results point to the fact that most Taiwanese people do not view the island as part of China and do not value unification as a top priority. The CCP is worried that the various Taiwan opinion polls may encourage the DPP to declare formal independence. If the DPP really does so, it translates to the CCP’s failure in unifying the territory and thus undermines the CCPs’ nationalist legitimacy. Besides, it would encourage secessionist movements in other parts of China, including the Tibetan independence movement and the Uyghur independence movement, which would make it much harder for the CCP to maintain social stability in the related regions. Therefore, leaders in Beijing cannot afford any risk of Taiwan seeking formal independence and continue to openly warn the Taiwanese government on the consequences of declaring independence. In 2016, Secretary General Xi Jinping announced his zero tolerance policy for any separatist movements in the Chinese territory, which to his understanding included Taiwan.[49] In 2019, Wang Zaixi, a former deputy director of the State Council’s Taiwan Affairs Office warned Taiwan that the Chinese authorities would accelerate the reunification of Taiwan if the island’s authorities continued its support of the independence movement. To the CCP, Taiwanese independence is too big of a risk, as it brings into question the notion that the CCP will rebuild the Chinese nation and restore the national spirit.

Conflict goes nuclear --- attacks on conventional targets affect 2nd strike, forcing use or lose pressure on China’s nukes.

Brown 21 [Gerald C. Brown, M.A in International Public Policy & Strategic Studies from John Hopkins & Defense Analyst focused on cross-Strat security, 6-2021, Understanding the Risks and Realities of China’s Nuclear Forces, Arms Control Association, <https://www.armscontrol.org/act/2021-06/features/understanding-risks-and-realities-chinas-nuclear-forces>, TM + recut-WT]

Similar entanglement risks exist with Chinese forces. PLARF bases all appear to host conventional and nuclear missile brigades. These are geographically separated from each other, but most of the weapons are on mobile platforms, creating overlapping risks when deployed. Conventional and nuclear forces seem to rely on the same supply and logistics infrastructure. Although command and control infrastructure are ostensibly separate, the extent of this separation is not fully understood, and overlap seems likely to exist.21 Additionally, China’s nuclear submarine force appears to share the same onshore communications systems with Chinese conventional submarines.22 DF-26 missiles are featured in the military parade in Beijing, China, Sept. 3, 2015. (Photo: Greg Baker/AFP via Getty Images)DF-26 missiles are featured in the military parade in Beijing, China, Sept. 3, 2015. (Photo: Greg Baker/AFP via Getty Images)Furthermore, an increasing number of midrange to intermediate-range weapons systems are dual use. Although the DF-21 maintains distinct conventional and nuclear variants that are typically not co-located, they are likely indistinguishable when deployed. In the case of the DF-26, conventional and nuclear warheads are likely co-located. Reports have highlighted DF-26 brigades, equipped with conventional and nuclear weapons, that hold drills in which units launch a conventional attack and then reload with a nuclear warhead to prepare for nuclear counterattacks.23 In conflict, attacks against China’s shore-based communications systems that are directed at China’s conventional submarine force would cut off its nuclear-armed submarine force as well. Campaigns against China’s vast conventional missile force would almost certainly degrade China’s nuclear force too. The fixed bases supporting PLARF brigades would be likely targets as the dual nature of these bases means conventional and nuclear forces share the same base headquarters, resulting in severed communications and logistics networks for PLA nuclear forces. Even if China’s nuclear and conventional command and control networks were sufficiently separate, it would be challenging to distinguish between them. Conventional and nuclear midrange to intermediate-range weapons would likely be indistinguishable in conflict.  How would China respond to attacks against these dual-use systems and the degradation of its nuclear force? It is somewhat comforting that China’s ICBM force is relatively distinguishable from its dual-use weapons, and the majority of the force is located deeper within the Chinese mainland. What is not obvious is how strikes against regional-range nuclear forces would be perceived by Beijing in the middle of armed conflict. If China’s nuclear forces were degraded in any way, authorities could conclude that they no longer have a survivable deterrent. In the heat of a conflict, it is difficult to assess how Chinese decision-makers would react to this.  Further, a degraded Chinese nuclear force, in the middle of a crisis, could provide a tempting counterforce target for the United States. In such a case, there would be a challenge of perceptions, with neither the United States nor China truly knowing the other’s intentions. In conflict, with the ability to destroy China’s nuclear force or at least limit damage to itself should China opt for nuclear use, would the United States decide that a counterforce strike is worth the risk? The United States would understand that if it failed to strike, China could opt to use its remaining nuclear forces and inflict substantial damage. Similarly, knowing the United States faced such a dilemma and that it could face a disabling counterforce strike, China would be faced with strong use-it-or-lose-it pressures. All of these circumstances would be exacerbated by the fog of war, a degraded information environment, and the speed required to make decisions.

## Rebutall EV

Taiwan conflict goes nuclear.  Pettyjohn and Wasser 22 [Stacie, senior fellow and director of the defense program at the Center for a New American Security. Becca, fellow in the defense program and co-lead of The Gaming Lab at the Center for a New American Security. “A Fight Over Taiwan Could Go Nuclear”, Foreign Affairs, <https://www.foreignaffairs.com/articles/china/2022-05-20/fight-over-taiwan-could-go-nuclear>, 05-20-2022]                                                                                                                                                         Russia’s invasion of Ukraine has raised the specter of nuclear war, as Russian President Vladimir Putin has placed his nuclear forces at an elevated state of alert and has warned that any effort by outside parties to interfere in the war would result in “consequences you have never seen.” Such saber-rattling has understandably made headlines and drawn notice in Washington. But if China attempted to forcibly invade Taiwan and the United States came to Taipei’s aid, the threat of escalation could outstrip even the current nerve-wracking situation in Europe.A recent war game, conducted by the Center for a New American Security in conjunction with the NBC program “Meet the Press,” demonstrated just how quickly such a conflict could escalate. The game posited a fictional crisis set in 2027, with the aim of examining how the United States and China might act under a certain set of conditions. The game demonstrated that China’s military modernization and expansion of its nuclear arsenal — not to mention the importance Beijing places on unification with Taiwan — mean that, in the real world, a fight between China and the United States could very well go nuclear. Beijing views Taiwan as a breakaway republic. If the Chinese Communist Party decides to invade the island, its leaders may not be able to accept failure without seriously harming the regime’s legitimacy. Thus, the CCP might be willing to take significant risks to ensure that the conflict ends on terms that it finds acceptable. That would mean convincing the United States and its allies that the costs of defending Taiwan are so high that it is not worth contesting the invasion. While China has several ways to achieve that goal, from Beijing’s perspective, using nuclear weapons may be the most effective means to keep the United States out of the conflict. China is several decades into transforming its People’s Liberation Army (PLA) into what the Chinese President Xi Jinping has called a “world-class military” that could defeat any third party that comes to Taiwan’s defense. China’s warfighting strategy, known as “anti-access/area denial,” rests on being able to project conventional military power out several thousand miles in order to prevent the American military, in particular, from effectively countering a Chinese attack on Taiwan. Meanwhile, a growing nuclear arsenal provides Beijing with coercive leverage as well as potentially new warfighting capabilities, which could increase the risks of war and escalation. China has historically possessed only a few hundred ground-based nuclear weapons. But last year, nuclear scholars at the James Martin Center for Nonproliferation Studies and the Federation of American Scientists identified three missile silo fields under construction in the Xinjiang region. The Financial Times reported that China might have carried out tests of hypersonic gliders as a part of an orbital bombardment system that could evade missile defenses and deliver nuclear weapons to targets in the continental United States. The U.S. Department of Defense projects that by 2030, China will have around 1,000 deliverable warheads — more than triple the number it currently possesses. Based on these projections, Chinese leaders may believe that as early as five years from now the PLA will have made enough conventional and nuclear gains that it could fight and win a war to unify with Taiwan.A fight between China and the United States could very well go nuclear. Our recent war game — in which members of Congress, former government officials, and subject matter experts assumed the roles of senior national security decision makers in China and the United States — illustrated that a U.S.-China war could escalate quickly. For one thing, it showed that both countries would face operational incentives to strike military forces on the other’s territory. In the game, such strikes were intended to be calibrated to avoid escalation; both sides tried to walk a fine line by attacking only military targets. But such attacks crossed red lines for both countries, and produced a tit-for-tat cycle of attacks that broadened the scope and intensity of the conflict. For instance, in the simulation, China launched a preemptive attack against key U.S. bases in the Indo-Pacific region. The attacks targeted Guam, in particular, because it is a forward operating base critical to U.S. military operations in Asia, and because since it is a territory, and not a U.S. state, the Chinese team viewed striking it as less escalatory than attacking other possible targets. In response, the United States targeted Chinese military ships in ports and surrounding facilities, but refrained from other attacks on the Chinese mainland. Nevertheless, both sides perceived these strikes as attacks on their home territory, crossing an important threshold. Instead of mirror-imaging their own concerns about attacks on their territory, each side justified the initial blows as military necessities that were limited in nature and would be seen by the other as such. Responses to the initial strikes only escalated things further as the U.S. team responded to China’s moves by hitting targets in mainland China, and the Chinese team responded to Washington’s strikes by attacking sites in Hawaii. A NEW ERA One particularly alarming finding from the war game is that China found it necessary to threaten to go nuclear from the start in order to ward off outside support for Taiwan. This threat was repeated throughout the game, particularly after mainland China had been attacked. At times, efforts to erode Washington’s will so that it would back down from the fight received greater attention by the China team than the invasion of Taiwan itself. But China had difficulty convincing the United States that its nuclear threats were credible. In real life, China’s significant and recent changes to its nuclear posture and readiness may impact other nations’ views, as its nuclear threats may not be viewed as credible given its stated doctrine of no first use, its smaller but burgeoning nuclear arsenal, and lack of experience making nuclear threats. This may push China to preemptively detonate a nuclear weapon to reinforce the credibility of its warning. China might also resort to a demonstration of its nuclear might because of constraints on its long-range conventional strike capabilities. Five years from now, the PLA still will have a very limited ability to launch conventional attacks beyond locations in the “second island chain” in the Pacific; namely, Guam and Palau. Unable to strike the U.S. homeland with conventional weapons, China would struggle to impose costs on the American people. Up until a certain point in the game, the U.S. team felt its larger nuclear arsenal was sufficient to deter escalation and did not fully appreciate the seriousness of China’s threats. As a result, China felt it needed to escalate significantly to send a message that the U.S. homeland could be at risk if Washington did not back down. Despite China’s stated “no-first use” nuclear policy, the war game resulted in Beijing detonating a nuclear weapon off the coast of Hawaii as a demonstration. The attack caused relatively little destruction, as the electromagnetic pulse only damaged the electronics of ships in the immediate vicinity but did not directly impact the U.S. state. The war game ended before the U.S. team could respond, but it is likely that the first use of a nuclear weapon since World War II would have provoked a response. The most likely paths to nuclear escalation in a fight between the United States and China are different from those that were most likely during the Cold War. The Soviet Union and the United States feared a massive, blot-from-the-blue nuclear attack, which would precipitate a full-scale strategic exchange. In a confrontation over Taiwan, however, Beijing could employ nuclear weapons in a more limited way to signal resolve or to improve its chances of winning on the battlefield. It is unclear how a war would proceed after that kind of limited nuclear use and whether the United States could de-escalate the situation while still achieving its objectives. AN OUNCE OF PREVENTION The clear lesson from the war game is that the United States needs to strengthen its conventional capabilities in the Indo-Pacific to ensure that China never views an invasion of Taiwan as a prudent tactical move. To do so, the United States will need to commit to maintaining its conventional military superiority by expanding its stockpiles of long-range munitions and investing in undersea capabilities. Washington must also be able to conduct offensive operations inside the first and second island chains even while under attack. This will require access to new bases to distribute U.S. forces, enhance their survivability, and ensure that they can effectively defend Taiwan in the face of China’s attacks. Moreover, the United States needs to develop an integrated network of partners willing to contribute to Taiwan’s defense. Allies are an asymmetric advantage: the United States has them, and China does not. The United States should deepen strategic and operational planning with key partners to send a strong signal of resolve to China. As part of these planning efforts, the United States and its allies will need to develop war-winning military strategies that do not cross Chinese red-lines. The game highlighted just how difficult this task may be; what it did not highlight is the complexity of developing military strategies that integrate the strategic objectives and military capacities of multiple nations. Moving forward, military planners in the United States and in Washington’s allies and partners must grapple with the fact that, in a conflict over Taiwan, China would consider all conventional and nuclear options to be on the table. And the United States is running out of time to strengthen deterrence and keep China from believing an invasion of Taiwan could be successful. The biggest risk is that Washington and its friends choose not to seize the moment and act: a year or two from now, it might already be too late.

Perceptual

A2: Politics ADV?!?!?

1. No need to affirm – the freedom caucus kills the bill and the GOP are on 2 different approaches

Schilke 2/10 [Rachel Schilke, 2-10-2025, "House Freedom Caucus defies Speaker Johnson and releases own budget resolution", Colorado Springs Gazette, <https://gazette.com/news/wex/house-freedom-caucus-defies-speaker-johnson-and-releases-own-budget-resolution/article_3d0dbf72-7673-5c97-91f0-01cbb663705c.html>, Willie T.]

The Freedom Caucus sidestepped House GOP leadership and released its own budget resolution on Monday as Republicans continue to argue over the best path forward for reconciliation.

The "Emergency Border Control Resolution" follows the hardline conservatives' two-step budget reconciliation approach, which is also favored by many Senate Republicans. The resolution would provide $200 billion in new funding for military, defense, and border security, as well as $486.3 billion in spending cuts that would result in $286 billion in deficit reduction over 10 years.

The resolution comes as House Republican leadership is stalled on how to proceed with reconciliation, with Speaker Mike Johnson (R-LA) and top leaders pushing for a one-bill approach. The Freedom Caucus has argued a two-bill approach allows the conference to put wins up on the board and then take a serious look at tax cuts, which expire at the end of the year.

The caucus said the resolution is "in-line" with the two-step resolution plan put forward by Sen. Lindsey Graham (R-SC) last week, whom Johnson has asked to stand down so the House can take point on reconciliation.

"Given the current delay in the House on moving a comprehensive reconciliation bill, moving a smaller targeted bill now makes the most sense to deliver a win for the President and the American people," Freedom Caucus Chairman Andy Harris (R-MD) said in a statement. "I am proud to introduce the Emergency Border Control Resolution today to set the reconciliation process in motion in the House.”

Hardliners left the GOP annual retreat in Doral, Florida, disappointed after the promised "blueprint" for reconciliation never hit their desks. Then, the planned markup for a budget resolution last week was canceled.

Postdates by 3 days.

2. No spillover---lawmakers compartmentalize.

Pergram ’18 [Chad; October 13; Congressional reporter; Fox News,“Amid Kavanaugh cacophony, Congress forges bipartisan agreements on key issues,” <https://www.foxnews.com/politics/amid-kavanaugh-cacophony-congress-forges-bipartisan-agreements-on-key-issues>]

Amid the turmoil, Congress approved the first revamp of national aviation policy in years. The Senate approved the final version of the legislation 93-6. This came after a staggering six extensions due to bickering and disagreement. Then, Congress approved a sweeping, bipartisan measure to combat opioid abuse. The House okayed the package 393-8. The Senate adopted the measure 98-1. And, there was no government shutdown. The House and Senate came to terms on two bipartisan bills which funded five of the 12 annual spending bills which operate the government. The sides agreed to latch an additional measure to one of the spending plans to fund the remaining seven areas of federal spending through December 7. President Trump briefly threatened to force a government shutdown if lawmakers didn’t include money for his border wall in the plan. But the President ultimately punted that battle until December. Democrats praised Republicans for keeping conservative “poison pill” riders out of the appropriations bills. That decision drew Democratic support for the measures. The Senate approved a bipartisan water and infrastructure package. McConnell hailed the bipartisanship which descended upon the Senate – even as the senators fought over Kavanaugh. Nearly in the same breath, McConnell derided boisterous, anti-Kavanaugh protesters outside the Capitol as a “mob.” McConnell insisted this week he needed the Senate to clear a slate of 15 conservative judges to lower courts before he could cut senators loose for the midterm elections. McConnell and Schumer appeared at loggerheads. McConnell’s goal was clear: extract the confirmation of these nominees – or tether to Washington vulnerable Democratic senators from battleground states to keep them off the campaign trail. Schumer knew McConnell would ultimately prevail on the nominees after the midterms. So the New York Democrat accepted McConnell’s ransom, permitting the Senate vote on a slate of nominees on Thursday night. Schumer also extracted a concession from McConnell: send senators home until November 13th. One may wonder how lawmakers can find themselves in an imbroglio over a major issue like Kavanaugh – yet forge major bipartisan accords on other. Frankly, that’s just politics. Politics always elicits strange bedfellows. Successful lawmakers know they should compartmentalize their disputes. The enemy today may be your best ally tomorrow

Empirics prove --- the negative is debating an abstract concept of political capital. Just last month the Senate blocked Sanctions on the ICC, but if their UQ evidence is still true there’s no effect on the debt ceiling.

Jimison 1/25 [Robert Jimison, degree in political science from Georgia State University, 1-28-2025, Democrats Block Bill to Impose Sanctions on International Criminal Court Officials, New York Times, <https://www.nytimes.com/2025/01/28/us/politics/democrats-icc-sanctions.html>, Willie T.]

A bill to impose sanctions on officials affiliated with the International Criminal Court stalled in the Senate on Tuesday after Democrats refused to back it, a setback for legislation that aims to rebuke the court for its top prosecutor’s decision to bring war crimes charges against top Israeli leaders for their military offensive against Hamas in Gaza.

The measure, a direct challenge to the tribunal’s existence, now faces an uncertain path in the Senate. The House passed the measure earlier this month with significant bipartisan support, with 45 Democrats joining all Republicans to support it.

On Thursday, the 54-to-45 vote in the Senate left the measure short of the 60 votes needed to advance. All but a single Democrat, Senator John Fetterman of Pennsylvania, opposed doing so.

A2 Africa

2. NL – No friv cases --- numerous safeguards.

HRW ND [Myths and Facts About the International Criminal Court, Human Rights Watch, <https://www.hrw.org/legacy/campaigns/icc/facts.htm>, Willie T.]

FACT: Numerous safeguards in the ICC treaty will prevent frivolous or politically motivated cases. First, the ICC will cover only the most egregious international crimes, defined in ways corresponding closely to the U.S. Code of Military Justice. It will have no jurisdiction over crimes committed on U.S. soil unless the United States ratifies its treaty.

Second, the Prosecutor will not be able to begin an investigation without authorization from a Pre-Trial Chamber of Judges. At that point, if a U.S. citizen were accused of a crime, the court's judges would be obliged, upon request, to defer to U.S. justice, standing down for at least six months while the United States pursued its own investigation and, if appropriate, prosecution. After that period, the judges would be able to authorize investigations only if they decided that the U.S. judicial system was willfully obstructing justice - a very high threshold. Any indictment would also require confirmation by a Pre-Trial Chamber of judges.

Finally, the U.N. Security Council can adopt a resolution suspending the ICC from investigating or prosecuting any case.

Their internal link to extinction is horrible requires draw in from Wagner escalation. Kupfer 24 explains

Matthew Kupfer, 11-29-2024, "Over a year after Wagner Group leader’s death, Russian mercenaries aren’t going away", Voice of America, <https://www.voanews.com/a/over-a-year-after-wagner-group-leader-s-death-russian-mercenaries-aren-t-going-away/7881045.html>

In Ukraine and Syria, where the mercenaries backed the government of Bashar al-Assad, Wagner actively collaborated with the Russia’s defense ministry. But in sub-Saharan Africa, where the Russian state had a very limited presence, Wagner was able to decide what Russia’s national interests were, Lecher said in an interview. Wagner wasn’t "just a shadowy arm of the Kremlin pursuing the Kremlin’s interests; they were creating them," he said. What next? Since Prighzoin’s death, Wagner has undergone significant changes –– although analysts disagree about how fundamental they are. Russian journalist Ilya Barabanov, who coauthored a Russian-language history of Wagner, believes that the old private military company essentially no longer exists. "Over the last year and a half, we’ve seen Prigozhin’s empire being broken apart," he told VOA. "Some [parts] are going to the Ministry of Defense. Some are going to the Russian National Guard. Some are going to Chechnya’s Akhmat special forces." The original Wagner, meanwhile, continues to operate only in the Central African Republic, Mali, and Belarus. Despite these changes, the dissolution of Wagner is going more slowly than expected because the Kremlin is too busy waging war in Ukraine, Barabanov added. Margolin emphasizes that Russia’s successor mercenary structures won’t function the same way Wagner did. The Wagner Group stood out for its risk appetite and relative independence from the Russian government. In the Central African Republic, it was Wagner that decided to transition from a strategy of defending the capital of Bangui and the country’s political elite to a more aggressive battle with insurgents, he notes. Wagner also decided with whom it would do business. In contrast, Africa Corps and other successor companies are much more risk-averse and more actively coordinate their activities with Russian military intelligence, Margolin said.

A2 allies

Their Sanches evidence concedes independent reasons why allies hedge away. We read green

Sánchez, Antonio José Pagán. Antonio José Pagán Sánchez is a postdoctoral researcher at the Universidad del Pacifico's Center for China and Asia-Pacific Studies. He received a Ph.D. in International Relations from Nankai University's Zhou Enlai School of Government. Previously, he obtained a Master's Degree in Chinese Studies from Pompeu Fabra University and a Bachelor's Degree in History from the University of Murcia, “How the US Could Undermine Its Biggest Advantage over China.” Thediplomat.com. The Diplomat, February 7, 2025. <https://thediplomat.com/2025/02/how-the-us-could-undermine-its-biggest-advantage-over-china/>. //arrguy

The U.S. alliance network is its greatest advantage in the competition with China. But Washington can hardly count on its allies if it treats them worse than the way it treats its systemic rival. 2025 began with unexpected news for the balance of power between Washington and Beijing in the technological field. DeepSeek, a Chinese AI company, went public with a model similar to ChatGPT-4, casting doubt on the United States’ international leadership in this field. And technology isn’t the only area where the U.S. has seen its relative advantage over China shrink. Economically, China has been the world’s largest economy by purchasing power parity (PPP) since 2017, and even militarily, the certainty of a U.S. victory in any potential conflict over the Taiwan Strait has diminished. Despite these shifts, the United States still holds a key advantage that’s often overlooked: its system of alliances. After World War II, the U.S. became an “empire by invitation,” as historian Geir Lundestad described it, forging an alliance network in Europe that eventually was also applied – mostly on a bilateral basis – in the Asia-Pacific region. In this regard, allies like South Korea and Japan have bilateral defense treaties with the United States, while countries such as the Philippines and Thailand are designated as Major Non-NATO Allies. Nowadays, the U.S.-led system of alliances includes 46 allies across all five continents, and combined they account for more than half of the world’s GDP. Thirteen of the 20 largest economies in the world are part of this network. China, on the other hand, has struggled to build and maintain a comparable alliance system. Its alliance with the Soviet Union collapsed in the 1960s, and today its only formal ally is North Korea. Chinese leaders have rejected the idea of forming alliances with other nations, fearing that such commitments might restrict their international maneuverability or embroil them in external conflicts. Of course, having an alliance network doesn’t guarantee that all members will always align with U.S. strategy toward China. There have been several instances of discord. For example, in 2005 Robert Zoellick, then deputy secretary of state under President George W. Bush, criticized the European Union’s proposal to lift its arms embargo on China, saying it was like “painting bull’s-eyes on the backs of U.S. troops.” Similarly, in 2015 the Obama administration tried – and failed – to prevent its allies from joining the Asian Infrastructure Investment Bank (AIIB), which was seen as a tool for increasing China’s influence in multilateral development in Asia. Still, one of the strengths of the U.S.-led alliance system is its flexibility: Allies agreed to disagree on certain points without breaking the overall alliance, making it a more durable model than the rigid Warsaw Pact. There are also notable successes in mobilizing this alliance system against China. In 2022, for instance, the United States persuaded NATO to label China as a “security challenge” for the first time. The previous year, the AUKUS pact – linking Australia, the United Kingdom, and the United States – was announced to bolster military positioning in the Asia-Pacific. Washington has also managed to get countries like the Netherlands and Japan to limit their chip exports to China, strengthened its alliance with Tokyo, and formed a military intelligence-sharing agreement with the Philippines, enabling the nation – entangled in the South China Sea dispute with Beijing – to access more advanced weaponry. Furthermore, most U.S. allies have vetoed the deployment in their territory of Huawei’s 5G networks, which is seen by Washington as a national security risk. This has significantly hampered Huawei’s global reach. The importance of U.S. alliances in countering Beijing was underscored by former U.S. Ambassador to China Nicholas Burns. In his final days in office, Burns pointed out that the key difference between the two powers is that the United States has allies while China does not. He even singled out the loyalty of nations like Canada and Denmark. The specific mentions of Canada and Denmark were far from accidental. Even before taking office, new U.S. President Donald Trump made headlines by threatening to seize Greenland from Denmark and floated the idea of Canada shedding its sovereignty to become part of the United States. Such statements challenge the principle of territorial integrity that has underpinned the international liberal order – an order the U.S. has championed since the end of World War II. Moreover, once in power, Trump imposed a 25 percent tariff on Canadian products (later suspended after discussions with Canadian Prime Minister Justin Trudeau) and threatened a similar 10 percent tariff on the European Union. This spiral of protectionism could eventually hurt U.S. allies in the Asia-Pacific as well. For example, the Daiwa Institute of Research estimated that Japan’s GDP might drop by 1.4 percent over the next three years due to tariffs imposed by Trump early in his term. There’s also a risk that future tariffs could target these countries directly – Trump’s previous tariffs on Japanese steel and aluminum and threats against South Korea during his first term are stark reminders of that possibility. Since President Barack Obama’s Pivot to Asia – and especially as tensions between the United States and China have escalated since the mid-2010s – the rise of China has become the primary international concern for the United States. Today, China is a far more formidable rival than the Soviet Union was during its heyday in the 1960s and 1970s, and it is the only power that could potentially displace the U.S. economically and diplomatically in third countries. However, the United States can hardly count on its allies if it treats them worse than the way it treats its systemic rival. After all, these allies are the nations that the new U.S. administration has threatened with 25 percent tariffs (while China has only faced 10 percent) or whose territorial integrity has been openly questioned. Such behavior is already yielding results: a recent YouGov poll found that 46 percent of Danish citizens view the United States as a threat – higher than the percentage that sees North Korea (44 percent) or Iran (40 percent) as such. The next four years will serve as a crucial test for the U.S. alliance system. Will the Trump administration limit itself to voicing reasonable criticisms – such as urging allies to boost their defense spending or to pursue a more balanced economic relationship? Or will it escalate tensions by launching a new trade war or even disengage from these alliances that over the past decades have underpinned Washington’s international position? If the latter happens, it could amount to self-sabotage of U.S. interests and a significant blow to its soft power among long-time allies. Not only might these allies be less inclined to unite against China in the future, but they could also be pushed toward a hedging strategy, deepening their ties with Beijing and viewing the Asian country as a more predictable partner. Maintaining its current major advantage over its systemic rival is ultimately a choice the United States must make. The ball is now in the White House’s court.

DL/T - Heg decline is inevitable, pursuing it only spurs failure Latham 24

Andrew Latham, opinion contributor, "The end of US global dominance presents an opportunity for America," October 15, 2024 // Arham S

<https://thehill.com/opinion/national-security/4932894-the-end-of-us-global-dominance-presents-an-opportunity-for-america/>

The end of US global dominance presents an opportunity for America BY ANDREW LATHAM, OPINION CONTRIBUTOR - 10/15/24 10:30 AM ET FotografiaBasica / Getty Images The era of American hegemony, which dominated global affairs since 1945 and reached its peak after 1991, is coming to an end. And rather than lament this shift, the U.S. and the world should embrace the opportunities it presents. For too long, the U.S. has shouldered the burden of global policing, tied to the notion of maintaining a “rules-based international order” that is increasingly irrelevant. The end of this era opens the door to a more just, prosperous and realistic world order — one that is based on balancing global powers rather than dominating them. It’s time for the U.S. to adopt a grand strategy of restraint, rooted in realist international relations theory, and reshape its role in a multipolar world. The decline of American hegemony has been a gradual process, accelerated by major events but always rooted in deeper structural trends. The rise of other global powers has challenged the ability of the U.S. to control world affairs. The myth that Washington believed after the Cold War, that it could dictate global governance indefinitely, was always an illusion. Overreach in military interventions, coupled with domestic and international challenges, have weakened American primacy. The international system that the U.S. helped build after World War II — a system of multilateral institutions and liberal norms — has shown cracks for years. This was not a neutral or benevolent framework; it was a structure that served American interests, often at the expense of other nations. Now, with rising competition from other powers, the idea that Washington can — or should — continue to act as the global enforcer is not only unrealistic but also counterproductive. Clinging to hegemony leads only to more costly interventions and strategic failures, as evidenced by recent decades of U.S. foreign policy. The end of American hegemony is not a catastrophe but an opportunity to adopt a more restrained and realistic approach to international relations. A grand strategy of restraint, as grounded in realist theory, recognizes the limitations of U.S. power and the dangers of overextension. Realism — with its focus on national interest, the balance of power and the inevitability of competition among states — offers a clear path forward. Rather than attempt to dominate or impose an ideological framework on the world, the U.S. should focus on protecting its core interests while avoiding unnecessary entanglements. In a multipolar world, the U.S. should be one power among many. The key to maintaining security and stability is not through imposing American leadership but through balance — engaging in selective competition and cooperation with other powers, without trying to dominate them. This shift away from hegemony opens space for new coalitions and more flexible partnerships based on mutual interest rather than unilateral dominance. As China rises and challenges American influence, it is tempting for policymakers to frame the situation as a new Cold War, with China replacing the Soviet Union as the primary adversary. But this is a flawed analogy. The Cold War was a unique ideological and military struggle between two superpowers, and trying to apply that same logic today only invites dangerous escalation. The U.S. should not attempt to “contain” China in the traditional sense of the word, which would only provoke confrontation without serving U.S. interests. Instead, Washington should pursue a strategy of “blunting” — using its power and influence to prevent any one nation from dominating key regions or setting the rules of global governance. This realist approach acknowledges that while China’s rise cannot be stopped, it can be managed. The U.S. should work with allies and regional powers to ensure that Beijing’s ambitions do not come at the expense of American security or that of its partners. By focusing on maintaining a balance of power, the U.S. can prevent Chinese domination without overextending itself in futile efforts at containment. Blunting is not about imposing America’s will on the world, but about ensuring that no other power can impose its will. This strategy recognizes that the global order is shifting, and Washington’s role should be one of prudent management rather than aggressive intervention. Realist restraint means recognizing that the U.S. cannot and should not be involved in every conflict, nor can it dictate terms to every rising power. The end of American hegemony liberates the U.S. from the yoke of global policing, which it has borne to its own detriment for far too long. A grand strategy of restraint would prioritize America’s core national interests, avoiding the costly and unnecessary interventions that characterized much of its foreign policy in the post-Cold War era. The wars in Iraq and Afghanistan illustrate the dangers of overreach and the futility of trying to impose democratic values through military means. Restraint, however, is not isolationism. The U.S. still has critical interests that require engagement, particularly in key regions like the Indo-Pacific and Europe. But engagement must be guided by a sober assessment of American power and the realistic limits of influence. Realist theory teaches that international relations are governed by competition among states, and in a multipolar world, the U.S. must pick its battles carefully, choosing to intervene only where its vital interests are at stake. This strategic recalibration would allow America to play a smarter role in world affairs — working with allies when necessary, but not leading every charge. The notion that any instability anywhere in the world threatens U.S. security is no longer tenable, nor is the belief that the U.S. must bear the burden of global governance alone. The shift away from American hegemony opens the door to a more sustainable world order that reflects the multipolar character of contemporary international politics. This transition is a natural evolution of the international system, and the U.S. must adapt by embracing restraint and realism as the guiding principles of its foreign policy. In a more multipolar world order, smaller powers and regional actors will have greater agency, and multilateral cooperation will be driven by shared interests rather than imposed norms. The U.S. has an opportunity to lead by example instead of through coercion. By focusing on blunting the more extreme ambitions of illiberal powers like China, Washington can help shape a world that is more stable and equitable. The age of U.S. dominance is over, but that is not a cause for alarm. It is a chance to build a more just and prosperous international system — one grounded in the realities of power politics and the recognition that restraint, rather than overreach, is the path to sustainable security.