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### Text

#### The United States Congress should prohibit the introduction of U.S. nuclear forces into hostilities unless the United States and/or its allies have been subjected to a nuclear attack.

### China: 1AC

#### Advantage 1: china

#### U.S.-China war is inevitable in the status quo—multiple triggers, answers all their defense

Gregory Kulacki, Senior Analyst & China Project Manager for the Global Security Program, Union of Concerned Scientists, “The Risk of Nuclear War with China,” HUFFINGTON POST, 9—21—12, <http://www.huffingtonpost.com/gregory-kulacki/the-risk-of-nuclear-war-w_b_1903336.html>

Last week two separate studies warned that China and the United States are pursuing military strategies and implementing defense policies that could lead to a nuclear war. John Lewis and Xue Litai of Stanford University concluded a detailed exposition of China's nuclear war plans with a very sober warning. "Both sides, clinging to incongruous assessments, run the risk of provoking unanticipated escalation to nuclear war by seeking a quick victory or tactical advantages in a conventional conflict. This dilemma is not only real, but perilous." Thomas Christensen of Princeton expressed concern about the same problem; the possibility that a conventional military conflict between the United States and China could end in a nuclear exchange. "For example, if strikes by the United States on China's conventional coercive capabilities or their critical command and control nodes and supporting infrastructure were to appear in Beijing as a conventional attack on its nuclear retaliatory capability or as a precursor to a nuclear first strike, even a China that generally adheres to a No-First-Use posture might escalate to the nuclear level." Neither study suggests that the military or political leadership of China or the United States intends to resort to nuclear weapons in the event of a military conflict. China's commitment not to be the first to use nuclear weapons "at any time under any circumstances" is drilled into the officers and soldiers of China's strategic missile forces. A classified text used to train those forces, The Science of Second Artillery Operations, unambiguously instructs, "In accord with our national principle not to be the first to use nuclear weapons under any circumstances, the Second Artillery's strategic nuclear forces can carry out a retaliatory nuclear attack against the enemy, following the command of the 'high leadership,' only after the enemy has first attacked us with nuclear weapons." Although the United States is unwilling to make a similar commitment, U.S. superiority in conventional weapons and overall military capabilities makes it unlikely the United States would consider using nuclear weapons for any purpose other than preventing a Chinese nuclear attack on the United States. The most recent U.S. Nuclear Posture Review, in an effort to deemphasize the role of nuclear weapons in U.S. defense policy, declared that the "fundamental role of U.S. nuclear weapons...is to deter a nuclear attack on the United States, our allies and partners." The risk of a nuclear war with China lies in the potential for misunderstanding or miscommunication during a conventional conflict. China's current strategy for employing its conventional and nuclear missile forces during a future conflict with the United States is self-consciously designed to create uncertainty, with the expectation that uncertainty will restrain U.S. military action. Unfortunately, China's strategy could also precipitate a large-scale U.S. attack on China's missile forces. There are several Chinese military policies that might confuse U.S. decision-makers in a time of war. Some Chinese conventional missiles are located on the same missile bases as Chinese nuclear missiles. Some Chinese missiles, particularly the DF-21, can be armed with either a conventional or a nuclear warhead. Chinese conventional war plans call for long-range "strategic" conventional missile strikes at key enemy targets, including U.S. military bases on allied soil and the continental United States. If this were not confusing enough already, The Science of Second Artillery Operations contains a section on "lowering the nuclear threshold" that details procedures for alerting China's nuclear forces in a crisis for the express purpose of forcing a halt to an enemy's conventional attacks on a select group of targets, such as Chinese nuclear power plants, large dams and civilian population centers. Although the Science of Second Artillery Operations unambiguously states that if alerting China's nuclear missile forces fails to halt conventional enemy attacks China will hold firm to its "no first use" commitment, U.S. decision-makers might not believe it. Indeed, U.S. interlocutors have repeatedly told their Chinese counterparts that they do not find China's "no first use" pledge credible. The combination of these factors makes a nuclear exchange between the United States and China not only plausible, but also probable if the two countries were to become embroiled in a military conflict. As Lewis and Xue explain, "If, in a time of high tension, the Chinese command authorized a conventional missile attack as an act of preemptive self-defense, the enemy and its allies could not know if the incoming missiles were conventional or nuclear. In a worst-case scenario, a Chinese first-strike conventional attack could spark retaliation that destroys Chinese nuclear assets, creating a situation in which escalation to full-scale nuclear war would not just be possible, but even likely." The Obama administration is "rebalancing" U.S. military forces in response to perceived relative increases in Chinese military capabilities. China sees this so-called "pivot" to Asia, especially when pared with new U.S. military strategies such as "Air-Sea Battle," as a policy of containment. Both sides downplay the risks of conflict, but they also see each other as potential adversaries, and are hedging their diplomatic bets with expensive investments in new military hardware, including new technologies that will expand the conflict into cyberspace and outer space. Territorial disputes between China and U.S. allies, rising nationalist sentiment in the region, and the potential for domestic political instability within China could produce any number of casussen belli that could trigger the conventional conflict that carries the risk of ending in a nuclear war. It is disturbing, therefore, that both the United States and China have failed to find a productive way to discuss the risks of nuclear war, much less begin to take steps to mitigate those risks. The Chinese government appears trapped in a psychology of political and military insecurity that fosters a strategic dependency on secrecy and deception as its "trump card" in a potential conflict with the United States. The U.S. government, as Jeffrey Lewis points out in a recent essay in Foreign Policy, is held captive by "the illusion of the winning move" that "holds out the prospect of fighting and winning a nuclear war against China." U.S. unwillingness to admit it is vulnerable to a Chinese nuclear attack is driving a slow motion arms race, reminiscent of the Cold War, where each new U.S. effort to find the winning move is checked by the latest Chinese advance in military technology. On the edges of the official competition, misanthropes in both nations spread sensational and frightening disinformation that poisons public discussion, making steps towards dialog and cooperation more difficult for political leaders to take. In the face of growing strategic distrust, neither government seems willing to accept the risks for peace that are necessary to minimize the risks of war, which, while still small, continue to grow.

#### Crisis instability and use is inevitable without the plan

Gerson 11, Michael S. Gerson is a research analyst at the Center for Naval Analyses he is also cochair of the Next Generation Working Group on U.S.-Russia Arms Control, “The Future of U.S. Nuclear Policy: The Case for No First Use”, Feb 2011, Quarterly Journal: International Security http://belfercenter.hks.harvard.edu/files/gerson\_policy\_brief\_Feb\_2011.pdf

If a nuclear-armed opponent believes that the United States might use nuclear weapons first in a disarming strike, a severe crisis could be especially dangerous and unstable. A crisis is “stable” when neither side has an overriding incentive to use nuclear weapons first, and both sides are aware of this situation. Conversely, a crisis is “unstable” when one or both states have an overriding incentive to strike first. Given U.S. quantitative and qualitative advantages in nuclear forces, and given that current and potential nuclear-armed adversaries are likely to have nuclear arsenals with varying degrees of size and survivability, in a future crisis an adversary may fear that the United States could attempt a disarming nuclear first strike. Even if the United States has no intention of striking first, the mere possibility of such a strike left open by a policy of not ruling one out could cause suboptimal decisionmaking in the heat of an intense crisis and increase the chances that nuclear weapons are used. The U.S. option to use nuclear weapons first could generate crisis instability in three ways. First, in a severe crisis, intense apprehensions about a U.S. first strike could prompt an opponent to take measures to increase the survivability of its forces and help ensure nuclear retaliation, such as adopting a launch-on-warning posture, rapidly dispersing forces, raising alert levels and mating warheads to missiles, or pre-delegating launch authority to field commanders. These actions increase the possibility of an accidental launch or other miscalculations that could lead to unauthorized use. Second, in the midst of an intense crisis, trepidations about a U.S. first strike could create incentives for signaling and brinksmanship that increase the chances of miscommunication and nuclear escalation. For example, concerns about a U.S. attack could prompt an adversary to take measures to decrease the vulnerability of its forces, such as mating warheads to delivery vehicles, fueling missiles, or dispersing forces. While the opponent might intend these measures to deter a U.S. counterforce strike by increasing the survivability of its forces, U.S. political and military leaders might misperceive these actions as a sign of the opponent’s impending nuclear attack and decide to preempt. Third, a state could be enticed to preempt out of fear that if it does not launch first, it will not have a second chance. A “use-it-or-lose-it” mentality might give an opponent a strong incentive to preempt. In this context, the adversary’s motivation to use nuclear weapons first comes not from the possibility of gaining some advantage, but rather from the belief that waiting and receiving what it believes to be a likely U.S. first strike would only lead to an even worse outcome.

#### Plan locks in crisis stability

Gerson 11, Michael S. Gerson is a research analyst at the Center for Naval Analyses he is also cochair of the Next Generation Working Group on U.S.-Russia Arms Control, “The Future of U.S. Nuclear Policy: The Case for No First Use”, Feb 2011, Quarterly Journal: International Security http://belfercenter.hks.harvard.edu/files/gerson\_policy\_brief\_Feb\_2011.pdf

For the United States and its allies, NFU has several military and political benefits. First, it would enhance crisis stability. A credible NFU policy would help decrease an opponent’s trepidations about a U.S. first strike, thereby reducing the possibility that nuclear weapons are used accidentally, inadvertently, or deliberately in a severe crisis.

#### Plan solves—nuclear transparency

Dr. Lora Saalman, Associate, Nuclear Policy Program, Carnegie Endowment for International Peace, CHINA AND THE U.S. NUCLEAR POSTURE REVIEW, 2—11, p. 17-18.

In determining the issues to be addressed to make headway on “strategic stability,” China’s declaration of NFU and the U.S. refusal to make a similar declaration continue to affect China’s strategic decision making regarding its own nuclear arsenal and how it perceives U.S. commitments. One arms control expert states, “When the international community forms a consensus on the principle of ‘nonuse of nuclear weapons,’ this would help countries to seriously consider the abandonment of such weapons. China has always seen nuclear weapons as a kind of retaliatory and deterrent power. Once the United States and Russia promote nuclear disarmament down to a certain level, I think that there would not remain too many concerns about China’s participation in the disarmament process.” Another Chinese scientist argues: Quantity is already no longer an obstacle to convincing other countries to participate in nuclear disarmament negotiations. A total of 1,550 nuclear weapons can already serve as an initial condition for negotiations. The problem lies in other obstacles. For China, the barrier to participate in nuclear talks means that it will ﬁrst have to make its nuclear [capabilities] public, ambiguity on nuclear strength is a mode of nuclear deterrence. Making its nuclear [capabilities] public means that China would be abandoning this means of deterrence. The United States continues to adhere to ﬁrst use of nuclear weapons under extreme circumstances; for China, this means that if it uses military means to resolve the Taiwan or South China Sea issue, then the United States could engage in ﬁrst use of nuclear weapons. China has a great deal of difﬁ culty, under the pressure of nuclear attack, to participate in nuclear disarmament negotiations. The absence of U.S. acceptance of NFU in the form of a “sole purpose” declaration,57 whether announced or behind the scenes, makes concessions on transparency on the part of China difﬁcult at best. Many Chinese experts see nuclear openness as a slippery slope that could lead China to relinquish its current means of deterrence. Numerous Chinese military and academic experts also allude to a profound gulf between Chinese and U.S. conceptions of transparency. Several military experts emphasize that the United States is seen within China to demand strategic transparency ﬁ rst to build strategic trust, whereas China wishes to build strategic trust before engaging in strategic transparency.58 What becomes evident from ﬁ gure 2 above is that both terms receive nearly equal attention and are frequently viewed as inseparable in the strategic calculus within China. The level of transparency that the United States is assumed to seek from China remains unacceptable, as argued by one Chinese expert, as long as the potential for the United States to use “nuclear coercion” against China still exists. He argues that until the United States is willing to relinquish nuclear coercion as a tool, the United States will maintain its large weapons arsenal and will not accept NFU. U.S. preservation of the potential for ﬁ rst use of nuclear weapons means that Chinese experts remain concerned that nuclear weapons could be used, under the NPR-cited “extreme circumstances,” to engage in nuclear coercion, particularly over Taiwan or the South China Sea. However, under coercion, the political-psychological effects of these weapons must be differentiated from actual “use.” Although some Chinese experts, particularly those in the military, remain preoccupied with the logistical potential for the United States to engage in a ﬁ rst strike, nuclear coercion presents more of a psychological tool. As Li Bin and Xiao Tiefeng note, “From the end of the Cold War through today, U.S. rhetoric on the role of its nuclear weapons has undergone continuous adjustments; however, these references have a commonality, this being that they avoid declaring under which conditions the United States will use nuclear weapons and under which conditions it will not use nuclear weapons… . Maintaining ambiguity on the conditions for use of nuclear weapons is the basic concept behind its nuclear strategy.”59 This description is followed by an entreaty that in order to strengthen the effectiveness of nuclear deterrence, the United States should make explicit under what conditions it will use nuclear weapons. Chinese analysts believe this level of transparency should be possible for the United States, because it is not constrained by the low numbers and asymmetry that China faces. Still, Li and Xiao recognize that the United States may be unlikely to clarify the conditions under which it would use nuclear weapons.60 Underlying this assessment is the contention that if the United States has a vested interest in maintaining “nuclear coercion” as a tool, then it lacks the incentive to engage in meaningful and substantive nuclear disarmament measures.61

### Bomb Power: 1AC

#### Advantage 2: bomb power

#### Congress has abdicated it’s authority over our nuclear forces

Jules **Zacher**, attorney, “Presidential Authority and Nuclear Weapons: Taking Back Our Rights,” Presented at the Sovereignty and Rule of Law Conference, Center for Ethics and the Rule of law, University of Pennsylvania, 4—19—**13**, p. 3.

As seen in the Cheney quote above, Congress has delegated either expressly or tacitly its war making power iii While previous Presidents have argued that sole command and control of nuclear weapons is part of the President’s inherent powers as the Commander in Chief , Article II of the Constitution places major constraints on the President’s role as Commander in Chief when it states in part, “The President shall be Commander in chief of the Army and Navy of the United States” to the President regarding nuclear weapons. While Congress still retains some control over the allocation of funds for the development and manufacture of these weapons, the strategy, deployment and usage of these weapons is for the most part conducted by the Executive branch with little if any input from Congress let alone the American public.. The Constitution says nothing about the President having sole authority over any weapon system. Historically speaking, The Commander in Chief was the military officer responsible for co-coordinating the country’s forces when the country was engaged in warfare, and nothing more. Congress has the sole power to declare war.

#### This form of control destroys accountability and is corrosive to domestic democracy—it is the cornerstone the consolidation of power in the executive

Jules **Zacher**, attorney, “Presidential Authority and Nuclear Weapons: Taking Back Our Rights,” Presented at the Sovereignty and Rule of Law Conference, Center for Ethics and the Rule of law, University of Pennsylvania, 4—19—**13**, p. 2.

Vice President Richard Cheney in a December 21, 2008 interview with Chris Wallace stated: The President of the United States now for fifty years is followed at all times, twenty-four hours a day, by a military aid carrying a football that contains the nuclear codes that he would use, and be authorized to use, in an event of a nuclear attack on the United States. He could launch the kind of devastating attack the world has never seen. He doesn’t have to check with anybody, he doesn’t have to call Congress, he doesn’t have to check with the courts.i Vice President Cheney’s statement accurately describes the unchallenged role that the President plays over the United States nuclear arsenal. It is an unfettered and unconstrained power that gnaws at the very core of American democracy. It is a power that the world has not seen before and no sovereign has ever held. It is a power that bodes ill not just for the United States but for the rest of the world. As stated in Gary Will’s book Bomb Power: Lodging ‘the fate of the world’ in one man, with no constitutional check on his actions, caused a violent break in our whole governmental system…This was in effect a quiet revolution…The nature of the presidency was irrevocably altered by this grant of unique power. The President’s permanent alert meant our permanent submission.

#### We solve the controlling internal link to the imperial presidency

Willis 11 – Garry Wills, Pulitzer Prize-winning American author, journalist, and historian, *Bomb Power: The Modern Presidency and the National Security State*, Penguin, 2011. Google Books.

Al the bottom of it all has been the Bomb. For the first time in our history, the President was given sole and unconstrained authority over all possible uses of the Bomb. All the preparations, protections, and auxiliary requirements for the Bomb's use, including secrecy about the whole matter and a worldwide deployment of various means of delivery, launching by land, sea, air, or space—a vast network for the study, development, creation, storage, guarding, and updating of nuclear arsenals, along with an immense intelligence apparatus to ascertain conditions for the weapons\* maintenance and employment—all these were concentrated in the executive branch, immune from interference by the legislative or judicial branches. Even,' executive encroachment or abuse was liable to justification from this one supreme power. If the President has the sole authority to launch nation-destroying weapons, he has license to use every other power at his disposal that might safeguard that supreme necessity. If he says he needs other and lesser powers, how can Congress or the courts discern whether he needs them when they have no supervisory role over the basis of the claim he is making? To challenge his authority anywhere is to threaten the one great authority. If he is weakened by criticism, how can other nations be sure he maintains the political ability to use his ultimate sanction? Every citizen is conscripted into the service of the Commander in Chief. As Vice President Dick Cheney put it on Fox News, in a December 21, 2008, interview with Chris Wallace: The President of the United States now for fifty years is followed at all times, twenty-four hours a day, by a military aide carrying a football that contains the nuclear codes that he would use, and be authorized to use, in the event of a nuclear attack on the United States. He could launch the kind of devastating attack the world has never seen. lie doesti 7 have to check with anybody, he doesn 7 have to call the Congress, he doesn V have to check with the courts. (Emphasis added) The Vice President was using these facts precisely to justify the policies of the Bush administration on a whole range of issues—warrantless surveillance of American citizens, indefinite detention of suspects without legal representation or habeas corpus, kidnappings across the world by "rendition," imprisonment of those kidnapped in secret "black sites" outside the United States, "enhanced interrogation" of the accused by techniques like waterboarding. Cheney was right to say that the real logic for all these things is the President's solitary control of the Bomb. He was also right to say that something like what the Bush administration did was tried, adumbrated, or justified by other Presidents, going all the way back to the creation of the Manhattan Project, without any authorization, funding, or checks by the Congress. That was the seed of all the growing powers that followed. Every President since has found ways to leverage concessions on the basis of the great mystery of his power over the very continuance of the world. Executive power has basically been, since World War II. Bomb Power.

#### That ensures constant interventionary wars

Schlesinger 04, (Arthur M. Jr., Professor Emeritus, City University of New York Graduate Center, THE IMPERIAL PRESIDENCY, 2004, p. 497-498.)

There is little more typically American than to despair of the republic. As early as 1802, Hamilton pronounced the Constitution a “frail and worthless fabric.” Seventy years later Henry Adams declared that “the system of 1789” has “broken down.” The dirges of our own day are hardly novel. But the constitutional strain imposed by chronic international crisi is new. Tocqueville’s warning lingers. International crisis has given American Presidents the opportunity to exercise almost royal prerogatives. Some Presidents have exercised these prerogatives with circumspection. Others have succumbed to the delusion that American has been charged by the Almighty with a global mission to redeem fallen humanity. In The Imperial Presidency I doubted that a messianic foreign policy, America as world savior, was reconcilable with the American Constitution (see pages 163-166, 206-208, 298). Nearly two decades later, I conclude with the same question. When an American President conceives himself the appointed guardian of the world in which an eternal foreign threat requires a rapid and incessant deployment of men, weapons and decisions behind a wall of secrecy, the result can only be a radical disruption of the balance of the American Constitution. It is hard to reconcile the separation of powers with a foreign policy driven by an indignant ideology and disposed to intervene unilaterally and secretly everywhere around the planet. The Constitution must buckle under the weight of a vainglorious policy, aiming at the redemption of lesser breeds without law, relying on secret actions and duplicitous methods, involving the United States in useless wars and grandiose dreams.

#### The impact is global nuclear war

Wilbur 09 – E. Packer Wilbur, member of the Dean’s International Council, The Harris School of Public Policy Studies, The University of Chicago and a former member of the Dean’s Council, The John F. Kennedy School of Government, Harvard University, “PRESIDENTIAL AUTHORITY TO LAUNCH A NUCLEAR ATTACK,” December 29, 2009. http://epwilbur.com/2009/12/31/presidential-authority-to-launch-a-nuclear-attack/

With a single order and acting by himself, the President of the United States has the power to dispatch dozens and possibly hundreds of nuclear missiles. The US has approximately 2,200 nuclear warheads available for immediate use on intercontinental ballistic missiles, submarines and aboard aircraft or stored at heavy bomber bases. As far as I can determine through discussions with former officials and through reviewing non-classified materials, the President can order the deployment of these weapons without any limitation and without consultation with any other person. The only check on this authority is the possibility that one or more individuals in the chain of command will disobey the order. Because the chain of events from authorization to launch can happen almost instantaneously, there may be very little time for intervention. Under the present “launch on warning” command system a President, advised of a possible attack, has just a few minutes to make the decision to launch, delay or stand down. A launch could be authorized even if there is no warning of an actual, suspected or impending attack. There are carefully devised safeguards in place to prevent accidental or unauthorized use of these weapons but the authority of the President appears to be unlimited. In the 1960’s (and possibly even now) that authority was actually “pre-delegated” under specified emergency conditions to military commanders so that they could use pre-distributed authorization codes to order a rapid nuclear response to an attack. It is marginally, if cold-bloodedly, comforting to think that the lives lost will be somewhere else, but what if this single command could bring destruction to Chicago, Charlotte or Cheyenne or to dozens of other US cities large or small? Our own self interest assigns maximum value to our own lives and to the lives of those close to us, but is a human life here really worth more than a human life somewhere else? Of course, any attack initiated by us is likely to bring secondary effects and retaliation to the continental US. Airborne radioactive smoke, soot and dust could sweep quickly across continents and back to us. Retaliation by those we target could create an unlimited and uncontrolled escalation. Throughout our history, Presidents have become physically incapacitated. President Woodrow Wilson had two disabling strokes in 1919 and his disability was shielded by his wife and close advisors. His Vice President was not allowed to visit him until their last day in office. Several Presidents have had fatal heart attacks and strokes. President John Kennedy was sometimes heavily medicated due to various infirmities and several of our former presidents were, on occasion, intemperate drinkers. President Reagan was seriously wounded in an assassination attempt but remained officially in charge. After he left office, he was diagnosed with Alzheimer’s disease and there is no way of knowing whether the disease began while he was still in office. Presidents, like the rest of us, get tired, angry, ill, and depressed. They can be impaired by medication or alcohol. Illnesses can be stealthy like Alzheimer’s or a brain tumor or insanity; there is sometimes no clear dividing line between normal and impaired. Since we are flesh and blood, our brains operating through chemical and electrical synapses and our genetic structure the result of continuing evolution, we cannot claim to be wholly logical or rational. Violence and aggression may be built into our design. It seems self evident that no single person should have the power to order massive and instantaneous worldwide loss of life. Other nuclear nations have similarly flawed systems of nuclear authorization which need revision to provide additional safeguards. Clearly, any changes in these systems will have to be initiated and led by the United States. At the same time, no one nation, including our own, wants to be the first to reduce its ability to respond quickly to an attack. Our own system was carefully constructed at the dawn of the nuclear age to deal with the exigencies of the Cold War. It may or may not have been appropriate then. Half a century later, it is time for us to rethink these policies.

#### Congress can do the plan

Jorge **Hirsch**, Professor, Physics, UC-San Diego, “Congress’ Liability in a Nuclear Strike on Iran,” GLOBAL RESEARCH, 2—21—**07**, http://www.globalresearch.ca/congress-liability-in-a-nuclear-strike-on-iran/4883, accessed 9-2-13.

Congress has the constitutional power to legislate under which conditions nuclear weapons, the most terrible weapons created by mankind, will be used in military operations. By funding the research, development and manufacture of these weapons, at the rate of over 6 billion dollars per year, and handing them over to the Executive without putting any restriction on their use, Congressmembers have made themselves liable for crimes that may be committed with “their” weapons. And there is the aggravating circumstance that the Executive announced to Congress that it would use nuclear weapons under conditions constituting serious violations of the laws and customs applicable in armed conflict, and that Congress knew that such conditions were very likely to occur.

#### Congress has the power to ban first use

Peter **Raven-Hansen**, Professor, Law, George Washington University, “Distribution of Constitutional Authority: Nuclear War Powers,” AMERICAN JOURNAL OF INTERNATIONAL LAW, October 19**89**, p. 793-794.

While this analysis suggests the constitutionality of the existing distribution of nuclear war powers, it also suggests directions for refinement. What Congress has given, it can take back. Nothing in the present distribution [\*794] would bar Congress from prohibiting first use or early first use. If time permits -- as well it may today or in the near future in the European first-use scenario -- the full Congress could also remove the prohibition during a conventional war. Congress cannot invade the commander in chief's prerogatives by microcommanding the armed forces, but its power to authorize limited or partial war -- limited in this case to conventional war -- has been judicially recognized since 1800. n46 When full congressional participation is not feasible for reasons of time (or possibly secrecy), there may yet be constitutional room for Congress to participate in first-use decisions through a leadership committee. n47 Delegation of congressional nuclear war power to a leadership committee may meet the relaxed requirements of war powers and foreign affairs delegation. The Supreme Court's disapproval of the legislative veto in Immigration and Naturalization Service v. Chadha n48 stands as a formidable obstacle to this redistribution of nuclear war powers. But the Court has upheld other redistributions both before and since Chadha when they were "justified by an overriding need to promote objectives within the constitutional authority of Congress." n49 In light of the general loss of subsequent control over nuclear war power, Congress may have an overriding need for at least its leadership to decide on nuclear war. In any event, to avoid an outright ban on first use, the President could rationally and constitutionally agree to abide by the decision of a leadership committee when time permits, even if Congress is constitutionally unable to force him to do so. n50

### Prolif: 1AC

#### Cascading proliferation is coming now

WSJ, “The Coming Nuclear Breakout As the U.S. deterrent fades, atomic weapons are poised to proliferate," 4/7/13 http://online.wsj.com/article/SB10001424127887324050304578408640883606814.html

President Obama came to office in 2009 promising to negotiate with America's enemies and create a world without nuclear weapons. Four years later, North Korea is threatening America with nuclear attack, Iran is closer to its own atomic arsenal, and the world is edging ever closer to a dangerous new era of nuclear proliferation. The promises and the reality are connected. The latest talks between the West and Iran failed this weekend, with no immediate plans for another round. The negotiations by now follow a pattern in which the U.S. makes concessions that Iran rejects, followed by more concessions that Iran also rejects, and so on as Tehran plays for time. North Korea, meanwhile, has moved medium-range missiles to its east coast in preparation for what is expected to be another launch as early as this week. This follows its third nuclear test and an explicit government authorization to strike U.S. targets with nuclear weapons. South Korea and Japan are in the direct line of fire. The U.S. responded at first with a modest show of deterrent force (B-2 bombers, Aegis cruisers), but lately it has downplayed the threat and even cancelled a U.S. missile test lest it discomfit the North's young dictator Kim Jong Eun. U.S. policy now seems to be to beg China one more time to do something about its client state. This is worth trying given that China has a new senior leadership, but the public nature of U.S. pleading (see the weekend's newspapers) also projects weakness. This anti-proliferation failure, in turn, has friends and allies increasingly wondering if they need their own nuclear deterrent. Chung Mong-joon, a prominent member of South Korea's ruling party, has called for the U.S. to return tactical nuclear weapons to the peninsula. George H.W. Bush withdrew them from South Korea in 1991 in a gesture to stop North Korea from going nuclear. "Some say that the U.S. nuclear umbrella is a torn umbrella. If so, we need to repair it," Mr. Chung said in February, adding that if the U.S. refuses South Korea should develop its own nuclear weapons. A recent poll found that 66% of South Koreans support a home-grown deterrent. The South Korean government says it has no such plans, but it's no coincidence that it is now pressing the U.S. for permission to produce its own nuclear fuel. While the supposed rationale is civilian use, the ability to enrich uranium and reprocess spent fuel is also a step toward making a bomb if South Korea ever chooses to. That kind of talk is watched closely in Japan, which has refrained from getting its own bomb under the U.S. umbrella and the legacy of World War II. Few politicians are making the case for a Japanese bomb other than the nationalist Shintaro Ishihara, but that will change if the North keeps expanding its arsenal or the South goes nuclear. Japan already has a reprocessing facility that will soon be producing tons of weapons-usable plutonium. Likewise in the Middle East, Iran's march to the bomb has other countries preparing the ground for their own nuclear breakout. Saudi Arabia has announced plans to build 16 reactors—precisely the number that nuclear inspectors say it would need for both civilian and military use. The world's largest oil exporter does not need nuclear power for electricity. Neither does the United Arab Emirates, which is nonetheless building a nuclear power plant only a few hundred miles from Iran. The UAE has promised not to enrich uranium or reprocess spent fuel, and in return the U.S. is providing technical advice on the plant. But few expect that promise to stand if Iran gets the bomb. Elsewhere in the region, Syria tried to import a nuclear-energy capacity until Israel blew it up in 2007 (despite the disapproval of then Secretary of State Condoleezza Rice). Turkey and Egypt are also likely to seek their own nuclear deterrent if Iran isn't stopped.

#### That risks nuclear wars that deterrence cannot stop—multiple reasons

Francois Heisbourg, Chair of IISS Special Advisor, Fondation pour la Recherche Straegique, “Nuclear Proliferation – Looking Back, Thinking Ahead: How Bad Would the Further Spread of Nuclear Weapons Be?” Presented at ‘Reassessing Nuclear Nonproliferation’s Key Premises’ Conference, London, November 3-4, 2011, http://www.npolicy.org/article.php?aid=1171&tid=30

Given their disproportionate power, nuclear weapons cannot serve to achieve limited policy goals, thus excluding their use as Clausewitzian weapons; further, the possession of nuclear weapons may even inhibit actions which an aggressive non-nuclear power would otherwise contemplate versus a nuclear power. Stalin at the head of a still clearly non-nuclear USSR blockaded Berlin, an action which none of his nuclear armed successors sought to emulate. As a non-nuclear power, Red China bombed Taiwan repeatedly. The worst of it ceased after Beijing acquired nuclear weapons. Possession of nuclear weapons, possibly after a learning curve, appears to self deter escalatory aggressive behavior. Bilateral deterrence between two nuclear powers has long been deemed to moderate direct confrontation and to deflect aggressive behavior towards proxies (11).Although no such theoretical consensus exists vis à vis the possible stability of multi-cornered possession of nuclear weapons, the case has been made by powerful authors such as Ken Waltz or Pierre Gallois (12). In practice, a global multipolar nuclear order was established to some extent since the 1960s, with the USSR, the US and China forming a strategic triangle which was perceived as such by the authors of the Nixon-to-Beijing visit. A regional multipolar dispensation arguably also exists between China, India and Pakistan. These relationships have apparently not led to instabilities greater than (or even as great as) those which have characterized the US-Soviet nuclear standoff. In short, proliferation has been a manageable, slow-motion process, nuclear weapons have not been used nor has the probability of their use appear to have increased (rather the opposite). Its overall status is satisfactory, provided some adjustments are made in terms of securing material from nonstate actors, even if the policy mix sustaining it is messy and occasionally fraught –as so many things are in international life. Difficult case-specific situations such as Iran today will continued to be handled as such, as Iraq was yesterday. THE PAST IS NOT WHAT IT USED TO BE The problem with this reassuring reading of the past is that it is not entirely true. Yes, the NPT had a major material effect by gradually making non nuclear the new normal. Yes again, defense guarantees by the US weaned Germany, Italy (13), South Korea, Taiwan and even neutral Sweden away from the nuclear road, followed by the US-French-British assurances to post-Soviet Ukraine. Yes too, various levels of coercion worked in Iraq, Libya and Syria. But no, the practice of even the most ‘classical’ bilateral deterrence was not nearly as reassuring as the mainstream narrative inherited from the Cold War would have it. Nor can we consider that our elements for empirical judgment as methodologically satisfactory in terms of their breadth and depth. These two negatives will be examined in turn. Nuclear archives, as other sensitive governmental archives, open up usually after an interval of decades and even then with varying levels of culling and redaction. Even oral histories tend to follow this pattern, as ageing witnesses feel freer to speak up. Hence a paradox: when the Soviet- American nuclear confrontation was central to our lives and policies during the Cold War, we didn’t how bad things really where; now that we are beginning to know, there is little public interest given the disappearance of the East-West contest. Yet there are lessons of general interest which can be summarized as follows: 1) the Cuban missile crisis brought us much closer to the brink than the acute sense of danger which prevailed at the time, for reasons which are germane to the current situation: massive failures of intelligence on Soviet nuclear preparations and dispositions in Cuba, notably on tactical nukes and on the operational readiness of a number of IRBMs and their warheads; dysfunctional or imperfect commandand control arrangements (notably vis à vis Soviet submarines), unintentionally mixed signals on each antagonist’s actions). These are effectively laid out in Michael Dobb’s book, “One Minute to Midnight”(14). 2) the safety and security of nuclear forces are subject to potentially calamitous procedural, technical or operational mishaps and miscalculations, somewhat along the lines of what applies to related endeavors (nuclear power and aerospace). Scott Sagan in his “Limits of Safety”(15) provides compelling research on the American Cold War experience. It would be interesting to have a similar treatment on the Soviet experience…Although it can be argued that today’s nuclear arsenals are much smaller andeasier to manage reliable, and that the technology for their control has been vastly improved, several facts remain: the US has continued to witness serious procedural lapses in the military nuclear arena (16); the de-emphasis of the importance of nuclear weapons in the US force structure is not conducive to treating them with the respect which is due to their destructive power; other nuclear powers do not necessarily benefit from the same technology and learning curves as the older nuclear states, and notably the US; cheek-to-jowl nuclear postures, which prevailed in the Cuban missile crisis and which help explain why World War III nearly occurred, and which characterize India and Pakistan today. Despite the dearth of detail on Indian and Pakistani nuclear crisis management, we know that the stability of nuclear deterrence between India and Pakistan is by no means a given, with serious risks occurring on several occasions since the mid-1980s(17). At another level of analysis, we have to recognize the limits of the database on which we ground our policies on nonproliferation. The nuclear age, in terms of operationally usable devices, began in 1945, less than seventy years, less than the age of an old man. The fact that there has been no accidental or deliberate nuclear use during that length of time is nearly twice as reassuring as the fact that it took more than thirty years (18) for a nuclear electricity generating plant to blow up, in the form of the Chernobyl disaster of 1986. But given the destructive potential of nuclear weapons, twice as much reassurance (in the form of no use of nuclear weapons for close to seventy years) is probably not good enough. Furthermore, the Chernobyl disaster involved the same sort of errors of judgment, procedural insufficiencies and crisis-mismanagement visible in Scott Sagan’s book, not only or even mainly, flawed design choices: inadvertence at work, in other words of the sort which could prevail in a time-sensitive, geographically constrained Indo- Pakistani or Middle Eastern conflict. Give it another seventy years to pass judgment? The same empirical limits apply to the number of actors at play: we have simple bipolar (US-USSR/Russia or India/Pakistan) and complex bipolar (US/France/UK/NATO-Soviet Union/Russia) experience; we’ve had US-Soviet-Chinese or Sino- Indian-Pakistani tripolarity; and we’ve had a number of unipolar moments (one nuclear state vis à vis non-nuclear antagonists). But we mercifully have not had to deal with more complex strategic geometries –yet- in the Middle East or East Asia. We only know what we know, we don’t know what we don’t know. A historical narrative which is not reassuring and an empirical record that is less than compelling need to inform the manner in which we approach further proliferation. PROLIFERATION PUSH AND PULL Ongoing proliferation differs from that of the first halfcentury of the nuclear era in three essential ways: on the demand side, the set of putative nuclear actors is largely focused in the most strategically stressed regions of the world; on the supply side, the actual or potential purveyors of proliferation are no longer principally the first, industrialized, generation of nuclear powers; the technology involved in proliferation is somewhat less demanding than it was during the first nuclear age. Taken together, these changes entail growing risks of nuclear use. Demand is currently focusing on two regions, the Middle East and East Asia (broadly defined) and involves states and, potentially, non-state actors. In the Middle East, Iran’s nuclear program is the focus of the most intense concerns. A potential consequence in proliferation terms would be to lead regional rivals of Iran to acquire nuclear weapons in term: this concern was vividly in 2007 by the then President of France, Jacques Chirac (19) who specifically mentioned Egypt and Saudi Arabia. The likelihood of such a “proliferation chain-reaction” may have been increased by President Obama’s recent repudiation of containment as an option (20): short of Iran being persuaded or forced to abandon its nuclear ambitions, the neighboring states would presumably have to contemplate security options other than a Cold War style US defense guarantee. Given prior attempts by Iraq, Syria and Libya to become nuclear powers, the probability of a multipolar nuclear Middle East has to be rated as high in case Iran is perceived as having acquired a military nuclear capability. Beyond the Middle East, the possibility of civil war in nuclear-armed Pakistan leading to state failure and the possibility of nukes falling out of the hands of an effective central government. There are historical precedents for such a risk, most notably, but not only(21)in the wake of the collapse of the Soviet Union: timely and lasting action by outside powers, such as the US with the Nunn-Lugar initiative, and the successor states themselves has prevented fissile material from falling into unauthorized hands in significant quantities. Pakistan could pose similar problems in a singularly more hostile domestic environment. As things stand, non-state actors, such as post-Soviet mafiya bosses (interested in resale potential) or Al Qaeda (22) have sought, without apparent success, to benefit from opportunities arising from nuclear disorder in the former USSR and Central Asia. Mercifully, the price Al Qaeda was ready to pay was way below the going rate (upwards of hundreds of $million) for the sorts of services provided by the A.Q.Khan network (see below)to some of his clients. Although North Korea’s nuclear ambitions appear to be both more self-centered and more containable than is the case for Iran, the possibility of state collapse in combination with regional rivalry leave no room for complacency. More broadly we are facing the prospect of a multipolar nuclear Middle East, linked to an uncertain nuclear Pakistan already part of a nuclear South Asia tied via China to the Korean nexus in which nuclear America and Russia also have a stake. More broadly still, such a nuclear arc-of-crisis from the Mediterranean to the Sea of Japan, would presumably imply the breakdown of the NPT regime, or at least its reversion to the sort of status it had during the Seventies, when many of its currently significant members had not yet joined (23), unloosening both the demand and supply sides of proliferation. On the supply side, “old style” proliferation relied on official cooperation between first-generation nuclear or nuclearizing powers, of which the Manhattan project was a forerunner (with American, British and Canadian national contributions and multinational scientific teams), followed inter alia by post-1956 French-Israeli, post-1958 US-UK, pre- 1958 USSR-China cooperation. If India relied heavily on the “unwitting cooperation” , notably on the part of Canada and the US involved in the Atoms for Peace CIRUS research reactor, Pakistan set up the first dedicated, broad spectrum, crossborder trading network to make up for the weakness of its limited industrial base. This import-focused organization thus went beyond traditional espionage-aided efforts (as practiced by the USSR during and after the Manhattan project) or case-by-case purloining or diversion of useful material on the global market (as practiced by Israeli operatives). Even before the Pakistani network had fulfilled its primary task of supplying the national program, it began its transformation into an export-oriented venture. Libya, Iran, North Korea and a fourth country which remains officially unnamed became the main outlets of what became the world’s first private-sector (albeit government originated and ,presumably, supported)proliferation company which was only wound down after strong Western pressure on Pakistan after 9/11. Although the by-now richly documented A.Q.Khan network (24) appears to have ceased to function in its previous incarnation, it has powerfully demonstrated that there is an international market for proliferation which other operators can expect to exploit. Furthermore, budding, resource-weak nuclear powers have a strong incentive to cover the cost of their investment by selling or bartering their nuclear-related assets, including delivery systems. The fruits of state-tostate cooperation between Iran, North Korea and Pakistan are clearly apparent in the close-to-identical genealogy of their nuclear-capable ballistic missiles of the No- Dong/Ghauri/Shahab families displayed in military parades and test launches. Not all such cooperation consists of televised objects. Even in the absence of game-changing breakthroughs, technical trends facilitate both demand and supply-side proliferation. For the time being, the plutonium route towards the bomb remains essentially as easy and as difficult as from the earliest years of the nuclear era. Provided a country runs a (difficult-to-hide) research or a power reactor from which low-irradiated fuel can be downloaded at will (such as CANDUtype natural uranium reactors), reprocessing is a comparatively straightforward and undemanding task. Forging and machining a multiple-isotope metal which is notorious for its numerous physical states and chemical toxicity is a substantial challenge, with the companion complications of devising a reliable implosion mechanism. Nuclear testing is highly desirable to establish confidence in the end-result. Opportunities for taking the plutonium-proliferation road may increase somewhat as new techniques (such as pyro-processing) come onstream. Developments in the enriched uranium field have been more substantial in facilitating proliferation. The development of lighter and more efficient centrifuges make it easier for a state to extract enriched uranium speedily in smaller and less visible facilities. Dealing with the resulting military-level HEU is a comparatively undemanding task. The long-heralded advent of industrially effective and reliable laser enrichment technology may eventually further increase ease of access. Downstream difficulties would still remain. Although implosion-mechanisms are not mandatory, they are desirable in order both to reduce the critical mass of U235 for a nuclear explosion and to make for a lighter and smaller more-readily deliverable weapons package. In sum, incremental improvements increase the risk of proliferation. However, non-state actors are not yet, and will not be on the basis of known technical trends, in a position to master the various steps of the two existing military nuclear fuel cycles, which remain the monopoly of states. Nonstate actors would need the active complicity from (or from accomplices within) states, or benefit from the windfall of state collapse, to acquire a military nuclear capability. The threat of nuclear terrorism continues to be subordinated to developments involving state actors, a remark which is not meant to be reassuring since such developments (see above) are increasingly likely as proliferation spreads to new states and as state failure threatens in the ‘arc of proliferation’ extending from the Mediterranean to North-East Asia. Furthermore, non-state actors can be satisfied with levels of nuclear reliability and performance which states could not accept. A difficult-to-deliver or fizzle-prone nuclear device would not provide a state with the level of deterrence needed to shield it from pre-emptive or retaliatory action, whereas a terrorist group would not be seeking such immunity. A road or ship-delivered imperfect device, which would be closer to a radiological bomb than to a fully-fledged atomic weapon would provide its non-state owners with immense potential. The road to a non-state device does not need to be as well-paved. NUCLEAR FUTURES ‘New’ lessons from a revisited past and current trends in nuclear proliferation, will tie into a number of characteristics of contemporary international relations with potentially destabilizing consequences, leading to an increasing likelihood of nuclear use. Four such characteristics will be singled out here both because of their relevance to nuclear crisis management and because of their growing role in the world system in the age of globalization: - Strategic upsets - Limits of imagination - Unsustainable strains - Radical aims The 2008 French Defence and National Security White Paper (25) developed the concept of ‘ruptures stratégiques’ (strategic upsets)to describe the growing tendency of the world system to generate rapid, unexpected, morphing upsets of international security as a consequence of globalization broadly defined against the backdrop of urbanizing populations generating economic growth and environmental and resource constraints. In themselves, such upsets are not novel (see inter alia, a pandemic such as the Black Death in 1348-49, the Great Depression not to mention World Wars or indeed the major and benign strategic upset of 1989-1991) but the very nature of globalization and the relationship between human activity and the Earth’s ability to sustain them) mean more, and more frequent as well as more complex upsets. If this reading is correct –and the Great financial crisis, the Arab revolutions, the accession of China to superpower status can be mentioned as examples which followed the publication of the White paper- ,then the consequences in the nuclear arena will be twofold. First, nuclear doctrines and dispositions which were conceived under a set of circumstances (such as the Cold War or the India-Pakistan balance of power) may rapidly find themselves overtaken by events. For instance it is easier to demonstrate that US and Russian nuclear forces still visibly bear the imprint of their 1950s template than it is to demonstrate their optimal adaptation to post-post-Cold War requirements. Second, more challenges to international security and of a largely unforeseeable nature mean greater strains placed on the ability of nuclear powers to manage crises against the backdrop of their possession of nuclear weapons. In many, indeed most, cases, such ‘ruptures stratégiques’ will no doubt be handled with nuclear weapons appearing as irrelevant: hypothetical security consequences of an epidemic (such as the interhuman transmission of the H5N1 bird flu virus) or prospective conflicts resulting from climate change do not have prima facie nuclear aspects. But beyond the reminder that we don’t know that as a fact, the probability is, under the ‘rupture stratégique’ hypothesis, that there will be more occasions for putting all crisis management, including nuclear, to the test. Human societies tend to lack the imagination to think through, and to act upon, what have become known as ‘black swan’ events (26): that which has never occurred (or which has happened very rarely and in a wholly different context) is deemed not be in the field of reality, and to which must be added eventualities which are denied because their consequences are to awful to contemplate. The extremes of human misconduct (the incredulity in the face of evidence of the Holocaust, the failure to imagine 9/11) bear testimony to this hard-wired trait of our species. This would not normally warrant mention as a factor of growing salience if not for the recession into time of the original and only use of nuclear weapons in August 1945. Non-use of nuclear weapons may be taken for granted rather than being an absolute taboo. Recent writing on the reputedly limited effects of the Hiroshima and Nagasaki bombs (27) may contribute to such a trend, in the name of reducing the legitimacy of nuclear weapons. Recent (and often compelling) historical accounts of the surrender of the Japanese Empire which downplay the role of the atomic bombings in comparison to early research can produce a similar effect, even if that may not have been the intention (28). However desirable it has been, the end of atmospheric nuclear testing (29) has removed for more than three decades the periodic reminders which such monstrous detonations made as to the uniquely destructive nature of nuclear weapons. There is a real and growing risk that we forget what was obvious to those who first described in 1941 the unique nature of yet-to-be produced nuclear weapons (30). The risk is no doubt higher in those states for which the history of World War II has little relevance and which have not had the will or the opportunity to wrestle at the time or ex post facto with the moral and strategic implications of the nuclear bombing of Japan in 1945. Unsustainable strains are possibly the single most compelling feature of contemporary proliferation. Tight geographical constraints –with, for instance, New Delhi and Islamabad located within 300 miles of each other-; nuclear multipolarity against the backdrop of multiple, criss-crossing, sources of tension in the Middle East (as opposed to the relative simplicity of the US-Soviet confrontation); the existence of doctrines (such as India’s ‘cold start’) and force postures (such as Pakistan’s broadening array of battlefield nukes) which rest on the expectation of early use; the role of non-state actors as aggravating or triggering factors when they are perceived as operating with the connivance of an antagonist state ( in the past, the assassination of the Austrian Archduke in Sarajevo in 1914; in the future, Hezbollah operatives launching rockets with effect against Israel or Lashkar-e-Taiba commandos doing a ‘Bombay’ redux in India?) : individually or in combination, these factors test crisis management capabilities more severely than anything seen during the Cold War with the partial exception of the Cuban missile crisis. Even the overabundant battlefield nuclear arsenals in Cold War Central Europe, with their iffy weapons’ safety and security arrangements, were less of a challenge: the US and Soviet short-range nuclear weapons so deployed were not putting US and Soviet territory and capitals at risk. It may be argued that these risk factors are known to potential protagonists and that they therefore will be led to avoid the sort of nuclear brinksmanship which characterized US and Soviet behavior during the Cold War in crises such as the Korean war, Berlin, Cuba or the Yom Kippur war. Unfortunately, the multiple nuclear crises between India and Pakistan demonstrate no such prudence, rather to the contrary. And were such restraint to feed into nuclear policy and crisis planning –along the lines of apparently greater US and Soviet nuclear caution from the mid-Seventies onwards-, the fact would remain that initial intent rarely resists the strains of a complex, multi-actor confrontation between inherently distrustful antagonists. It is also worth reflecting on the fact that during the 1980s, there was real and acute fear in Soviet ruling circles that the West was preparing an out-of-the-blue nuclear strike, a fear which in turn fed into Soviet policies and dispositions (31). The Cold War was a set of crises and misunderstandings which came within a whisker of a nuclear holocaust; India and Pakistan’s nuclear standoff is deeply unstable not least as a result of the interaction with non-state actors; a multipolar nuclear Middle East would make the Cuban missile crisis look easy in comparison. Great conflicts tend to occur when one or several of the antagonists views the status quo as sufficiently undesirable and/or unsustainable to prompt forceful pro-action. Notwithstanding widespread perceptions to the contrary, this was not the case of the USSR and the United States during the Cold War. The US had chosen a policy of containment, as opposed to roll-back, of the Soviet Empire within its limits established as a result of World War II. The Soviet Union seized targets of opportunity outside of its 1945 area of control but avoided direct confrontation with US forces. Messianic language from the USSR on the global victory of communism or from the US about the end of the Evil Empire did not take precedence over the prime Soviet concern of preserving the Warsaw Pact and the US pursuit of containment – and, no less crucially, their mutual confidence that they could achieve these aims without going to war one with the other. No such generalization can be made about the Middle East, a region in which the very existence of a key state (Israel) is challenged while others have gone to war with each other (e.G.Iran-Iraq war, the Gulf War of 1990-1991), or are riven by deep internal conflicts. Actors such as Hezbollah, with its organic and functional links with Islamic Iran and Alawite Syria add to the complexities and dangers. Extreme views and actions vis à vis the strategic status quo are widely prevalent. Although the India-Pakistan relationship corresponds to something akin to the US-Soviet ‘adversarial partnership’, that does not apply to radical non-state actors prevalent in Pakistan with more or less tight links to that country’s military intelligence services (ISI, Inter-Services Intelligence). The potential for danger is compounded by the variety of such groups: the Pashtu-related Pakistani Taliban (TTP), Kashmiri-related groups, Jihadi militants from the core provinces of Punjab and Sind… Their common characteristics are extreme radicalism, high levels of operational proficiency, and shared enmity of India. Their potential for triggering a conflict between the two countries is substantial, above and beyond the intentions of government officials.

#### Plan solves--credibility

Michael S. Gerson, research analyst, Center for Naval Analyses, “No First Use; The Next Step for U.S. Nuclear Policy,” INTERNATIONAL SECURITY, Fall 2010, pp. 7+.

Finally, because NFU would be an important departure from the past six decades of U.S. nuclear policy, it would provide the United States with important political benefits in its efforts to lead the nonproliferation regime and encourage greater international support for nonproliferation initiatives. Retaining the option to use nuclear weapons first undermines the NPT regime by signaling that even the world's most affluent and powerful nation continues to believe that nuclear weapons are important instruments of national power. This perception contributes to international claims of American nuclear hypocrisy, as the United States seeks to both retain its nuclear weapons and lead the NPT regime to prevent others from acquiring them. 110 Although it is unlikely that other nations would make such politically and economically important decisions about whether to build or otherwise acquire nuclear weapons based on what the United States says or does with its nuclear arsenal--if anything, U.S. conventional superiority is more likely to affect states' strategic calculations--recalcitrant countries have nevertheless blamed or at least referred to U.S. nuclear precedents to defend and justify their nuclear decisions. 111 North Korea, for example, claimed that the first-use option in the 2010 NPR "proves that the present U.S. policy toward the DPRK is nothing different from the hostile policy pursued by the Bush administration. . . . As long as the U.S. nuclear threat persists, the DPRK will increase and update various type[s] of nuclear weapons as its deterrent in such a manner as it deems necessary in the days ahead." 112 For nonnuclear NPT member states, especially members of the Nonaligned Movement, NFU would satisfy a long-standing desire for the United States to show a tangible commitment to Article 6 of the NPT, which commits the five declared nuclear weapons states under the treaty to "pursue negotiations in good faith on effective measures relating to the cessation of the nuclear arms race at an early date and to nuclear disarmament." Several nonnuclear NPT states have said that a reduction in the role of nuclear weapons in U.S. security policy such as NFU, rather than simple reductions in the number of weapons in the U.S. arsenal, would be a clear and convincing demonstration of the U.S. commitment to eventual disarmament. 113 These states have often based their lack of support for U.S.-led multilateral nonproliferation initiatives, including support for sanctions against proliferant regimes at the UN Security Council, on the grounds that the United States has not done enough to fulfill its Article 6 obligations. Thus, NFU, by symbolizing an important step toward realizing Article 6, would remove a significant roadblock to greater support for and participation in the NPT regime among nonnuclear NPT member states. NFU would therefore have an important, albeit indirect, effect on nonproliferation by encouraging greater multilateral alignment with U.S.-led nonproliferation efforts. At the very least, an NFU policy would help expose states that use the U.S. commitment to Article 6 as an excuse not to vigorously support nonproliferation.

#### Other states follow

Harold A. Feiveson, senior research scientist and co-director, Program on Science and Global Secuirty, Woodrow Wilson School, Princeton University and Ernst Jan Hogendoorn, Ph.D. student, Woodrow Wilson School, "No First Useof Nuclear Weapons," NONPROLIFERATION REVIEW, Summer 2003, ASP.

It would be valuable for strong no-first-use commitments to be made by all the nuclear-weapon states, and one would hope that such commitments would follow a U.S. lead. But there is no reason for the United States to insist upon an international agreement before acting. The United States has undertaken unilateral initiatives in the past with the hope, later proven, that other states would follow suit—the most recent example being the 1991 decision by President George H.W. Bush to withdraw most U.S. tactical nuclear weapons from active deployment. In the case of a no-first-use pledge, a unilateral declaration by the United States would greatly increase pressure on other nuclear weapons states also to commit to no first use of nuclear weapons.

#### No offense—optimists are wrong

Matthew Kroenig, Assistant Professor, Government, Georgetown University and fellow, Council on Foreign Relations, “The History of Proliferation Optimism: Does It Have a Future?” Nonproliferation Policy Education Center, 5—26—12, http://www.npolicy.org/article.php?aid=1182&tid=30

Proliferation Optimism: Proliferation optimism was revived in the academy in Kenneth Waltz’s 1979 book, Theory of International Politics.[[1]](#footnote-1)[29] In this, and subsequent works, Waltz argued that the spread of nuclear weapons has beneficial effects on international politics. He maintained that states, fearing a catastrophic nuclear war, will be deterred from going to war with other nuclear-armed states. As more and more states acquire nuclear weapons, therefore, there are fewer states against which other states will be willing to wage war. The spread of nuclear weapons, according to Waltz, leads to greater levels of international stability. Looking to the empirical record, he argued that the introduction of nuclear weapons in 1945 coincided with an unprecedented period of peace among the great powers. While the United States and the Soviet Union engaged in many proxy wars in peripheral geographic regions during the Cold War, they never engaged in direct combat. And, despite regional scuffles involving nuclear-armed states in the Middle East, South Asia, and East Asia, none of these conflicts resulted in a major theater war. This lid on the intensity of conflict, according to Waltz, was the direct result of the stabilizing effect of nuclear weapons. Following in the path blazed by the strategic thinkers reviewed above, Waltz argued that the requirements for deterrence are not high. He argued that, contrary to the behavior of the Cold War superpowers, a state need not build a large arsenal with multiple survivable delivery vehicles in order to deter its adversaries. Rather, he claimed that a few nuclear weapons are sufficient for deterrence. Indeed, he even went further, asserting that any state will be deterred even if it merely suspects its opponent might have a few nuclear weapons because the costs of getting it wrong are simply too high. Not even nuclear accident is a concern according to Waltz because leaders in nuclear-armed states understand that if they ever lost control of nuclear weapons, resulting in an accidental nuclear exchange, the nuclear retaliation they would suffer in response would be catastrophic. Nuclear-armed states, therefore, have strong incentives to maintain control of their nuclear weapons. Not even new nuclear states, without experience in managing nuclear arsenals, would ever allow nuclear weapons to be used or let them fall in the wrong hands. Following Waltz, many other scholars have advanced arguments in the proliferation optimist school. For example, Bruce Bueno de Mesquite and William Riker explore the “merits of selective nuclear proliferation.”[[2]](#footnote-2)[30] John Mearsheimer made the case for a “Ukrainian nuclear deterrent,” following the collapse of the Soviet Union.[[3]](#footnote-3)[31] In the run up to the 2003 Gulf War, John Mearsheimer and Steven Walt argued that we should not worry about a nuclear-armed Iraq because a nuclear-armed Iraq can be deterred.[[4]](#footnote-4)[32] And, in recent years, Barry Posen and many other realists have argued that nuclear proliferation in Iran does not pose a threat, again arguing that a nuclear-armed Iran can be deterred.[[5]](#footnote-5)[33] What’s Wrong with Proliferation Optimism? The proliferation optimist position, while having a distinguished pedigree, has several major problems. Many of these weaknesses have been chronicled in brilliant detail by Scott Sagan and other contemporary proliferation pessimists.[[6]](#footnote-6)[34] Rather than repeat these substantial efforts, I will use this section to offer some original critiques of the recent incarnations of proliferation optimism. First and foremost, proliferation optimists do not appear to understand contemporary deterrence theory. I do not say this lightly in an effort to marginalize or discredit my intellectual opponents. Rather, I make this claim with all due caution and with complete sincerity. A careful review of the contemporary proliferation optimism literature does not reflect an understanding of, or engagement with, the developments in academic deterrence theory in top scholarly journals such as the American Political Science Review and International Organization over the past few decades.[[7]](#footnote-7)[35] While early optimists like Viner and Brodie can be excused for not knowing better, the writings of contemporary proliferation optimists ignore the past fifty years of academic research on nuclear deterrence theory. In the 1940s, Viner, Brodie, and others argued that the advent of Mutually Assured Destruction (MAD) rendered war among major powers obsolete, but nuclear deterrence theory soon advanced beyond that simple understanding.[[8]](#footnote-8)[36] After all, great power political competition does not end with nuclear weapons. And nuclear-armed states still seek to threaten nuclear-armed adversaries. States cannot credibly threaten to launch a suicidal nuclear war, but they still want to coerce their adversaries. This leads to a credibility problem: how can states credibly threaten a nuclear-armed opponent? Since the 1960s academic nuclear deterrence theory has been devoted almost exclusively to answering this question.[[9]](#footnote-9)[37] And, unfortunately for proliferation optimists, the answers do not give us reasons to be optimistic. Thomas Schelling was the first to devise a rational means by which states can threaten nuclear-armed opponents.[[10]](#footnote-10)[38] He argued that leaders cannot credibly threaten to intentionally launch a suicidal nuclear war, but they can make a “threat that leaves something to chance.”[[11]](#footnote-11)[39] They can engage in a process, the nuclear crisis, which increases the risk of nuclear war in an attempt to force a less resolved adversary to back down. As states escalate a nuclear crisis there is an increasing probability that the conflict will spiral out of controland result in an inadvertent or accidental nuclear exchange. As long as the benefit of winning the crisis is greater than the incremental increase in the risk of nuclear war, threats to escalate nuclear crises are inherently credible. In these games of nuclear brinkmanship, the state that is willing to run the greatest risk of nuclear war before back down will win the crisis as long as it does not end in catastrophe. It is for this reason that Thomas Schelling called great power politics in the nuclear era a “competition in risk taking.”[[12]](#footnote-12)[40] This does not mean that states eagerly bid up the risk of nuclear war. Rather, they face gut-wrenching decisions at each stage of the crisis. They can quit the crisis to avoid nuclear war, but only by ceding an important geopolitical issue to an opponent. Or they can the escalate the crisis in an attempt to prevail, but only at the risk of suffering a possible nuclear exchange. Since 1945 there were have been many high stakes nuclear crises (by my count, there have been twenty) in which “rational” states like the United States run a risk of nuclear war and inch very close to the brink of nuclear war.[[13]](#footnote-13)[41] By asking whether states can be deterred or not, therefore, proliferation optimists are asking the wrong question. The right question to ask is: what risk of nuclear war is a specific state willing to run against a particular opponent in a given crisis? Optimists are likelycorrect when they assert that Iran will not intentionally commit national suicide by launching a bolt-from-the-blue nuclear attack on the United States or Israel. This doesnot mean that Iran will never use nuclear weapons, however. Indeed, it is almost inconceivable to think that a nuclear-armed Iran would not, at some point, find itself in a crisis with another nuclear-armed power and that it would not be willing to run any risk of nuclear war in order to achieve its objectives. If a nuclear-armed Iran and the United States or Israel have a geopolitical conflict in the future, over say the internal politics of Syria, an Israeli conflict with Iran’s client Hezbollah, the U.S. presence in the Persian Gulf, passage through the Strait of Hormuz, or some other issue, do we believe that Iran would immediately capitulate? Or is it possible that Iran would push back, possibly even brandishing nuclear weapons in an attempt to deter its adversaries? If the latter, there is a real risk that proliferation to Iran could result in nuclear war. An optimist might counter that nuclear weapons will never be used, even in a crisis situation, because states have such a strong incentive, namely national survival, to ensure that nuclear weapons are not used. But, this objection ignores the fact that leaders operate under competing pressures. Leaders in nuclear-armed states also have very strong incentives to convince their adversaries that nuclear weapons could very well be used. Historically we have seen that in crises, leaders purposely do things like put nuclear weapons on high alert and delegate nuclear launch authority to low level commanders, purposely increasing the risk of accidental nuclear war in an attempt to force less-resolved opponents to back down. Moreover, not even the optimists’ first principles about the irrelevance of nuclear posture stand up to scrutiny. Not all nuclear wars would be equally devastating.[[14]](#footnote-14)[42] Any nuclear exchange would have devastating consequences no doubt, but, if a crisis were to spiral out of control and result in nuclear war, any sane leader would rather be facing a country with five nuclear weapons than one with thirty-five thousand. Similarly, any sane leader would be willing to run a greater risk of nuclear war against the former state than against the latter. Indeed, systematic research has demonstrated that states are willing to run greater risks and, therefore, more likely to win nuclear crises when they enjoy nuclear superiority over their opponent.[[15]](#footnote-15)[43] Proliferation optimists miss this point, however, because they are still mired in 1940s deterrence theory. It is true that no rational leader would choose to launch a nuclear war, but, depending on the context, she would almost certainly be willing to risk one.Nuclear deterrence theorists have proposed a second scenario under which rational leaders could instigate a nuclear exchange: a limited nuclear war.[[16]](#footnote-16)[44] By launching a single nuclear weapon against a small city, for example, it was thought that a nuclear-armed state could signal its willingness to escalate the crisis, while leaving its adversary with enough left to lose to deter the adversary from launching a full-scale nuclear response. In a future crisis between a nuclear-armed China and the United States over Taiwan, for example, China could choose to launch a nuclear attack on Honolulu to demonstrate its seriousness. In that situation, with the continental United States intact, would Washington choose to launch a full-scale nuclear war on China that could result in the destruction of many more American cities? Or would it back down? China might decide to strike hoping that Washington will choose a humiliating retreat over a full-scale nuclear war. If launching a limited nuclear war could be rational, it follows that the spread of nuclear weapons increases the risk of nuclear use. Again, by ignoring contemporary developments in scholarly discourse and relying exclusively on understandings of nuclear deterrence theory that became obsolete decades ago, optimists reveal the shortcomings of their analysis and fail to make a compelling case.The optimists also error by confusing stability for the national interest.Even if the spread of nuclear weapons contributes to greater levels of international stability (which discussions above and below suggest it might not) it does not necessarily follow that the spread of nuclear weapons is in the U.S. interest. There might be other nationalgoals that trump stability, such as reducing to zero the risk of nuclear war in an important geopolitical region. Optimists might argue that South Asia is more stable when India and Pakistan have nuclear weapons, but certainly the risk of nuclear war is higher than if there were no nuclear weapons on the subcontinent. In addition, it is wrong to assume that stability is always in the national interest. Sometimes it is, but sometimes it is not. If stability is obtained because Washington is deterred from using force against a nuclear-armed adversary in a situation where using force could have advanced national goals, stability harms, rather than advances, U.S. national interests. The final gaping weakness in the proliferation optimist argument, however, is that it rests on a logical contradiction. This is particularly ironic, given that many optimists like to portray themselves as hard-headed thinkers, following their premises to their logical conclusions. But, the contradiction at the heart of the optimistargument is glaring and simple to understand: either the probability of nuclear war iszero, or it is nonzero, but it cannot be both. If the probability of nuclear war is zero, then nuclear weapons should have no deterrent effect. States will not be deterred by a nuclear war that could never occur and states should be willing to intentionally launch large-scale wars against nuclear-armed states. In this case, proliferation optimists cannot conclude that the spread of nuclear weapons is stabilizing. If, on the other hand, the probability of nuclear war is nonzero, then there is a real danger that the spread of nuclear weapons increases the probability of a catastrophicnuclear war. If this is true, then proliferation optimists cannot be certain that nuclear weapons will never be used. In sum, the spread of nuclear weapons can either raise the risk of nuclear war and in so doing, deter large-scale conventional conflict. Or there is no danger that nuclear weapons will be used and the spread of nuclear weapons does not increase international instability. But, despite the claims of the proliferation optimists, it is nonsensical to argue that nuclear weapons will never be used and to simultaneously claim that their spread contributes to international stability. Proliferation Anti-obsessionists: Other scholars, who I label “anti-obsessionists” argue that the spread of nuclear weapons has neither been good nor bad for international politics, but rather irrelevant. They argue that academics and policymakers concerned about nuclear proliferation spend too much time and energy obsessing over something, nuclear weapons, that, at the end of the day, are not all that important. In Atomic Obsession, John Mueller argues that widespread fears about the threat of nuclear weapons are overblown.[[17]](#footnote-17)[45] He acknowledges that policymakers and experts have often worried that the spread of nuclear weapons could lead to nuclear war, nuclear terrorism and cascades of nuclear proliferation, but he then sets about systematically dismantling each of these fears. Rather, he contends that nuclear weapons have had little effect on the conduct of international diplomacy and that world history would have been roughly the same had nuclear weapons never been invented. Finally, Mueller concludes by arguing that the real problem is not nuclear proliferation, but nuclear nonproliferation policy because states do harmful things in the name of nonproliferation, like take military action and deny countries access to nuclear technology for peaceful purposes. Similarly, Ward Wilson argues that, despite the belief held by optimists and pessimists alike, nuclear weapons are not useful tools of deterrence.[[18]](#footnote-18)[46] In his study of the end of World War II, for example, Wilson argues that it was not the U.S. use of nuclear weapons on Hiroshima and Nagasaki that forced Japanese surrender, but a variety of other factors, including the Soviet Union’s decision to enter the war. If the actual use of nuclear weapons was not enough to convince a country to capitulate to its opponent he argues, then there is little reason to think that the mere threat of nuclear use has been important to keeping the peace over the past half century. Leaders of nuclear-armed states justify nuclear possession by touting their deterrent benefits, but if nuclear weapons have no deterrent value, there is no reason, Ward claims, not to simply get rid of them. Finally, Anne Harrington de Santana argues that nuclear experts “fetishize” nuclear weapons.[[19]](#footnote-19)[47] Just like capitalists, according to Karl Marx, bestow magical qualities on money, thus fetishizing it, she argues that leaders and national security experts do the same thing to nuclear weapons. Nuclear deterrence as a critical component of national security strategy, according to Harrington de Santana, is not inherent in the technology of nuclear weapons themselves, but is rather the result of how leaders in countries around the world think about them. In short, she argues, “Nuclear weapons are powerful because we treat them as powerful.”[[20]](#footnote-20)[48] But, she maintains, we could just as easily “defetish” them, treating them as unimportant and, therefore, rendering them obsolete. She concludes that “Perhaps some day, the deactivated nuclear weapons on display in museums across the United States will be nothing more than a reminder of how powerful nuclear weapons used to be.”[[21]](#footnote-21)[49] The anti-obsessionists make some thought-provoking points and may help to reign in some of the most hyperbolic accounts of the effect of nuclear proliferation. They remind us, for example, that our worst fears have not been realized, at least not yet. Yet, by taking the next step and arguing that nuclear weapons have been, and will continue to be, irrelevant, they go too far. Their arguments call to mind the story about the man who jumps to his death from the top of a New York City skyscraper and, when asked how things are going as he passes the 15th story window, replies, “so far so good.”The idea that world history would have been largely unchanged had nuclear weapons not been invented is a provocative one, but it is also unfalsifiable. There is good reason to believe that world history would have been different, and in many ways better, had certain countries not acquired nuclear weapons. Let’s take Pakistan as an example. Pakistan officially joined the ranks of the nuclear powers in May 1998 when it followed India in conducting a series of nuclear tests. Since then, Pakistan has been a poster child for the possible negative consequences of nuclear proliferation. Pakistan’s nuclear weapons have led to further nuclear proliferation as Pakistan, with the help of rogue scientist A.Q. Khan, transferred uranium enrichment technology to Iran, Libya, and North Korea.[[22]](#footnote-22)[50] Indeed, part of the reason that North Korea and Iran are so far along with their uranium enrichment programs is because they got help from Pakistan. Pakistan has also become more aggressive since acquiring nuclear weapons, displaying an increased willingness to sponsor cross-border incursions into India with terrorists and irregular forces.[[23]](#footnote-23)[51] In a number of high-stakes nuclear crises between India and Pakistan, U.S. officials worried that the conflicts could escalate to a nuclear exchange and intervened diplomatically to prevent Armageddon on the subcontinent. The U.S. government also worries about the safety and security of Pakistan’s nuclear arsenal, fearing that Pakistan’s nukes could fall into the hands of terrorists in the event of a state collapse or a break down in nuclear security. And we still have not witnessed the full range of consequences arising from Pakistani nuclear proliferation. Islamabad has only possessed the bomb for a little over a decade, but they are likely to keep it for decades to come, meaning that we could still have a nuclear war involving Pakistan. In short, Pakistan’s nuclear capability has already had deleterious effects on U.S. national security and these threats are only likely to grow over time. In addition, the anti-obsessionists are incorrect to argue that the cure of U.S. nuclear nonproliferation policy is worse than the disease of proliferation. Many observers would agree with Mueller that the U.S. invasion of Iraq in 2003 was a disaster, costing much in the way of blood and treasure and offering little strategic benefit. But the Iraq War is hardly representative of U.S. nonproliferation policy. For the most part, nonproliferation policy operates in the mundane realm of legal frameworks, negotiations, inspections, sanctions, and a variety of other tools. Even occasional preventive military strikes on nuclear facilities have been far less calamitous than the Iraq War. Indeed, the Israeli strikes on nuclear reactors in Iraq and Syria in 1981 and 2007, respectively, produced no meaningful military retaliation and a muted international response. Moreover, the idea that the Iraq War was primarily about nuclear nonproliferation is a contestable one, with Saddam Hussein’s history of aggression, the unsustainability of maintaining the pre-war containment regime indefinitely, Saddam’s ties to terrorist groups, his past possession and use of chemical and biological weapons, and the window of opportunity created by September 11th, all serving as possible prompts for U.S. military action in the Spring of 2003. The claim that nonproliferation policy is dangerous because it denies developing countries access to nuclear energy also rests on shaky ground. If anything, the global nonproliferation regime has, on balance, increased access to nuclear technology. Does anyone really believe that countries like Algeria, Congo, and Vietnam would have nuclear reactors today were it not for Atoms for Peace, Article IV of the NPT, and other appendages of the nonproliferation regime that have provided developing states with nuclear technology in exchange for promises to forgo nuclear weapons development? Moreover, the sensitive fuel-cycle technology denied by the Nuclear Suppliers Group (NSG) and other supply control regimes is not even necessary to the development of a vibrant nuclear energy program as the many countries that have fuel-cycle services provided by foreign nuclear suppliers clearly demonstrate. Finally, the notion that nuclear energy is somehow the key to lifting developing countries from third to first world status does not pass the laugh test. Given the large upfront investments, the cost of back-end fuel management and storage, and the ever-present danger of environmental catastrophe exemplified most recently by the Fukushima disaster in Japan, many argue that nuclear energy is not a cost-effective source of energy (if all the externalities are taken into account) for any country, not to mention those developing states least able to manage these myriad challenges. Taken together, therefore, the argument that nuclear nonproliferation policy is more dangerous than the consequences of nuclear proliferation, including possible nuclear war, is untenable. Indeed, it would certainly come as a surprise to the mild mannered diplomats and scientists who staff the International Atomic Energy Agency, the global focal point of the nuclear nonproliferation regime, located in Vienna, Austria. The anti-obsessionsists, like the optimists, also walk themselves into logical contradictions. In this case, their policy recommendations do not necessarily follow from their analyses. Ward argues that nuclear weapons are irrelevant and, therefore, we should eliminate them.[[24]](#footnote-24)[52] But, if nuclear weapons are really so irrelevant, why not just keep them lying around? They will not cause any problems if they are as meaningless as anti-obsessionists claim and it is certainly more cost effective to do nothing than to negotiate complicated international treaties and dismantle thousands of warheads, delivery vehicles, and their associated facilities. Finally, the idea that nuclear weapons are only important because we think they are powerful is arresting, but false. There are properties inherent in nuclear weapons that can be used to create military effects that simply cannot, at least not yet, be replicated with conventional munitions. If a military planner wants to quickly destroy a city on the other side of the planet, his only option today is a nuclear weapon mounted on an ICBM. Therefore, if the collective “we” suddenlydecided to “defetishize” nuclearweaponsby treating them as unimportant, it is implausible thatsome leadersomewherewouldnotindependentlycome to the idea that nuclear weapons could advance his or her country’s national security and thereby re-fetishize them.In short, the optimists and anti-obsessionists have brought an important perspective to the nonproliferation debate. Their arguments are provocative and they raise the bar for those who wish to argue that the spread of nuclear weapons is indeed a problem. Nevertheless, their counterintuitive arguments are not enough to wish away the enormous security challenges posed by the spread of the world’s most dangerous weapons. These myriad threats will be considered in the next section. Why Nuclear Proliferation Is a Problem The spread of nuclear weapons poses a number of severe threats to international peace and U.S. national security including: nuclear war, nuclear terrorism, emboldened nuclear powers, constrained freedom of action, weakened alliances, and further nuclear proliferation. This section explores each of these threats in turn. Nuclear War. The greatest threat posed by the spread of nuclear weapons is nuclear war. The more states in possession of nuclear weapons, the greater the probability that somewhere, someday, there is a catastrophic nuclear war. A nuclear exchange between the two superpowers during the Cold War could have arguably resulted in human extinction and a nuclear exchange between states with smaller nuclear arsenals, such as India and Pakistan, could still result in millions of deaths and casualties, billions of dollars of economic devastation, environmental degradation, and a parade of other horrors. To date, nuclear weapons have only been used in warfare once. In 1945, the United States used one nuclear weapon each on Hiroshima and Nagasaki, bringing World War II to a close. Many analysts point to sixty-five-plus-year tradition of nuclear non-use as evidence that nuclear weapons are unusable, but it would be naïve to think that nuclear weapons will never be used again. After all, analysts in the 1990s argued that worldwide economic downturns like the great depression were a thing of the past, only to be surprised by the dot-com bubble bursting in the later 1990s and the Great Recession of the late Naughts.[[25]](#footnote-25)[53] This author, for one, would be surprised if nuclear weapons are not used in my lifetime. Before reaching a state of MAD, new nuclear states go through a transition period in which they lack a secure-second strike capability. In this context, one or both states might believe that it has an incentive to use nuclear weapons first. For example, if Iran acquires nuclear weapons neither Iran, nor its nuclear-armed rival, Israel, will have a secure, second-strike capability. Even though it is believed to have a large arsenal, given its small size and lack of strategic depth, Israel might not be confident that it could absorb a nuclear strike and respond with a devastating counterstrike. Similarly, Iran might eventually be able to build a large and survivable nuclear arsenal, but, when it first crosses the nuclear threshold, Tehran will have a small and vulnerable nuclear force. In these pre-MAD situations, there are at least three ways that nuclear war could occur. First, the state with the nuclear advantage might believe it has a splendid first strike capability. In a crisis, Israel might, therefore, decide to launch a preemptive nuclear strike to disarm Iran’s nuclear capabilities and eliminate the threat of nuclear war against Israel. Indeed, this incentive might be further increased by Israel’s aggressive strategic culture that emphasizes preemptive action. Second, the state with a small and vulnerable nuclear arsenal, in this case Iran, might feel use ‘em or loose ‘em pressures. That is, if Tehran believes that Israel might launch a preemptive strike, Iran might decide to strike first rather than risk having its entire nuclear arsenal destroyed. Third, as Thomas Schelling has argued, nuclear war could result due to the reciprocal fear of surprise attack.[[26]](#footnote-26)[54] If there are advantages to striking first, one state might start a nuclear war in the belief that war is inevitable and that it would be better to go first than to go second. In a future Israeli-Iranian crisis, for example, Israel and Iran might both prefer to avoid a nuclear war, but decide to strike first rather than suffer a devastating first attack from an opponent. Even in a world of MAD, there is a risk of nuclear war. Rational deterrence theory assumes nuclear-armed states are governed by rational leaders that would not intentionally launch a suicidal nuclear war. This assumption appears to have applied to past and current nuclear powers, but there is no guarantee that it will continue to hold in the future. For example, Iran’s theocratic government, despite its inflammatory rhetoric, has followed a fairly pragmatic foreign policy since 1979, but it containsleaders who genuinely hold millenarian religious worldviews who could one day ascend to power and have their finger on the nuclear trigger. We cannot rule out the possibility that, as nuclear weapons continue to spread, one leader will choose to launch a nuclear war, knowing full well that it could result in self-destruction.One does not need to resort to irrationality, however, to imagine a nuclear war under MAD.Nuclear weapons may deter leaders from intentionally launching full-scale wars, but they do not mean the end of international politics. As was discussed above, nuclear-armed states still have conflicts of interest and leaders still seek to coerce nuclear-armed adversaries. This leads to the credibility problem that is at the heart of modern deterrence theory: how can you threaten to launch a suicidal nuclear war? Deterrence theorists have devised at least two answers to this question. First, as stated above, leaderscan choose to launch a limited nuclear war.[[27]](#footnote-27)[55] This strategy might be especially attractive to states in a position of conventional military inferiority that might have an incentive to escalate a crisis quickly. During the Cold War, the United States was willing to use nuclear weapons first to stop a Soviet invasion of Western Europe given NATO’s conventional inferiority in continental Europe. As Russia’s conventional military power has deteriorated since the end of the Cold War, Moscow has come to rely more heavily on nuclear use in its strategic doctrine. Indeed, Russian strategy calls for the use of nuclear weapons early in a conflict (something that most Western strategists would consider to be escalatory) as a way to de-escalate a crisis.Similarly, Pakistan’s military plans for nuclear use in the event of an invasion from conventionally stronger India. And finally, Chinese generals openly talk about the possibility of nuclear use against a U.S. superpower in a possible East Asia contingency. Second, as was also discussed above leaders can make a “threat that leaves something to chance.”[[28]](#footnote-28)[56] They can initiate a nuclear crisis. By playing these risky games of nuclear brinkmanship, states can increases the risk of nuclear war in an attempt to force a less resolved adversary to back down. Historical crises have not resulted in nuclear war, but many of them, including the 1962 Cuban Missile Crisis, have come close. And scholars have documented historical incidents when accidents could have led to war.[[29]](#footnote-29)[57] When we think about future nuclear crisis dyads, such as India and Pakistan and Iran and Israel, there are fewer sources of stability that existed during the Cold War, meaning that there is a very real risk that a future Middle East crisis could result in a devastating nuclear exchange.

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#### Congress can limit the authority to use nuclear weapons—their ‘distinction’ is meaningless

Lobel 08 (Jules, Professor of Law, University of Pittsburgh Law School, “Conflicts Between the Commander in Chief and Congress: Concurrent Power over the Conduct of War” Ohio State Law Journal, Lexis)

 the third theory-based on the distinction between general rules and specific tactics-also has surface appeal, but is unworkable when applied to specific issues because the line between policy and tactic is too amorphous and hazy to be useful in real world situations. For example, how does one decide whether the use of waterboarding as a technique of interrogation is a policy or specific tactic? Even if it is arguably a specific tactic, Congress could certainly prohibit that tactic as antithetical to a policy prohibiting cruel and inhumane treatment. So too, President Bush's surge strategy in Iraq could be viewed as a tactic to promote a more stable Iraq, or as a general policy which Congress should be able to limit through use of its funding power. Congress can limit tactical decisions to use particular weapons such as chemical weapons, nuclear weapons, or cluster bombs by forbidding the production or use of such weapons, or simply refusing to fund them. n42 Congress could also, however, enact more limited and specific restrictions to prohibit the use of nuclear weapons or land mines in a particular conflict or even a particular theater of war. Indeed, most specific tactics could be permitted or prohibited by a rule. In short, the distinctions between strategies and tactics, rules and detailed instructions, or policies and tactics are simply labels which are virtually indistinguishable. Labeling an activity with one of these terms is largely a distinction without a difference. Accordingly, these labels are not helpful to the real problem of determining the respective powers of Congress and the President.

#### Restrict means to limit use of

WordNet, Princeton University Cognitive Science Laboratory

(“restrict”, <http://wordnetweb.princeton.edu/perl/webwn?s=restrict&sub=Search+WordNet&o2=&o0=1&o7=&o5=&o1=1&o6=&o4=&o3=&h=000000000>, accessed 9-9-9)

\* S: (v) restrict, restrain, trammel, limit, bound, confine, throttle (place limits on (extent or access)) "restrict the use of this parking lot"; "limit the time you can spend with your friends"

**K Ans: Prolif Discourse 2AC**

**Opposition to proliferation is not racist—just rational**

**Harvard Nuclear Study Group**, 19**83**. “Living with nuclear weapons” p. 217

Nuclear proliferation has also been justified on oilier grounds. Some individuals in developing countries have criticized the superpowers for monopolizing nuclear weapons. **They say that the United States and the Soviet Union are racist and elitist because they trust themselves but not others with nuclear weapons**. Furthermore, the superpowers seem to be unable to break their habit of adding to their own nuclear arsenal. If more countries were to acquire nuclear weapons they could reduce superpower domination by their enhanced military strength. These arguments in favor of nuclear proliferation are extremely mistaken. **Nuclear proliferation is far more likely to hurt than to help international stability. One can oppose proliferation without being either elitist or racist. One should oppose it because it is dangerous**. It is true that the Soviet Union and the United States have thus far avoided war with each other and that the existence of nuclear weapons has contributed to prudence in superpower relations. But **this situation would be repeated elsewhere only if the political and military conditions that enhance nuclear stability between the superpowers also existed elsewhere. This is not often the case. A key ingredient is the political stability of the governments controlling the weapons**. Yet **statistics show a much higher incidence of governmental breakdown through military coups and civil wars in many of the areas where these weapons might spread**. Revolutions, civil wars, and coups may increase the likelihood of nuclear weapons being used. **This is doubly dangerous if combined with impulsive leaders such as Uganda's former president Idi Amin and Libya's current leader Muammar al-Qaddafi**.

**Reality shapes language – focus on discourse distracts from solving the real cause of the problem**

Matthew **Roskoski** and Joe **Peabody**, Florida State University, “A Linguistic and Philosophical Critique of Language Arguments”, 1991, http://debate.uvm.edu/Library/DebateTheoryLibrary/Roskoski&Peabody-LangCritiques.

Previously, we have argued that the language advocates have erroneously reversed the causal relationship between language and reality. We have defended the thesis that reality shapes language, rather than the obverse. Now we will also contend that to attempt to solve a problem by editing the language which is symptomatic of that problem will generally trade off with solving the reality which is the source of the problem. There are several reasons why this is true. The first, and most obvious, is that we may often be fooled into thinking that language "arguments" have generated real change. As Graddol and Swan observe, "**when compared with larger social and ideological struggles, linguistic reform may seem quite a trivial concern,"** further noting **"there is also the danger that effective change at this level is mistaken for real social change"** (Graddol & Swan 195). The second reason is that the **language we find objectionable can serve as a signal** or an indicator **of the corresponding objectionable reality.** The third reason is that **restricting language only limits the overt expressions of any objectionable reality, while leaving subtle and** hence **more dangerous expressions unregulated.** Once we drive the objectionable idea underground it will be more difficult to identify, more difficult to root out, more difficult to counteract, and more likely to have its undesirable effect. The fourth reason is that **objectionable speech can create a "backlash" effect that raises the consciousness of people exposed to the speech.** Strossen observes that "ugly and abominable as these expressions are, they undoubtably have had the beneficial result of raising social consciousness about the underlying societal problem..." (560).

**Our representations of Iran are justified and the alt can’t solve**

**Brownfield 11** (Mike, Assistant Director of Strategic Communications at The Heritage Foundation, 6/10/11, “Morning Bell: The Iranian Threat That Can’t Be Ignored” The Heritage Foundation) http://blog.heritage.org/2011/06/10/morning-bell-the-iranian-threat-that-cant-be-ignored/

**The leader of Iran**, Mahmoud Ahmadinejad **once said that Israel must be “wiped off the map.” And now Iran stands poised to have its finger on the trigger of a nuclear weapon**, yet the Obama Administration continues to remain virtually silent on the nascent threat, all while the clouds amassing over the Iranian Peninsula are growing too dark to ignore. Yesterday, following news that **Iran plans to triple its output of higher-grade uranium**, the United States, China, Russia, Britain, France and Germany issued a joint statement calling for Iran to provide more information about its nuclear intentions and that the country’s nuclear drive is causing “deep concern” to a number of world powers. Meanwhile, the United States issued sanctions on Iran’s police chief and three government entities

it says are involved in the brutal repression of Iranian citizens. But that’s just the tip of the iceberg. Heritage’s James Phillips writes that Iran’s uranium enrichment program has increased by 84 percent since 2009, according to a new study by the Nonproliferation Policy Education Center, and author Greg Jones projects that Iran could produce enough weapons-grade uranium to fuel a nuclear weapon in about 62 days if it chose to do so. According to unconfirmed reports**, Iran’s Islamic Revolutionary Guard Corps has acquired two missile warheads capable of being armed with a nuclear weapon**. And a recently leaked U.N. report described suspected ballistic missile technology exchanges between North Korea and Iran, with the technology transiting through an unnamed neighboring country, which several U.N. diplomats, under the condition of anonymity, have identified as China. Apart from Iran’s pursuit of nuclear weapons, the country is also fomenting political unrest in the Middle East. Heritage’s Peter Brookes wrote in March of news that NATO forces in April seized 50 Iranian rockets destined for the Taliban in support of its expected spring offensive. The weapons could have been used to target U.S. and coalition forces as well as terror weapons against population centers. Then there’s Iran’s plan to further eviscerate the freedom of speech by creating its own version of the Internet — yet another step in the repression of its people. **But these threats upon threats only saw scant mention in yesterday’s Senate confirmation hearing for Secretary of Defense nominee Leon Panetta who remarked that he would address Iran’s nuclear activities in a closed session while acknowledging that “there’s no question they continue to try to develop some kind of nuclear capability**.” It’s not the first time a member of the Obama Administration has skimmed over the issue, and it starts at the very top. In a major speech on the Middle East last month, President Obama only said that “our opposition to Iran’s intolerance and Iran’s repressive measures, as well as its illicit nuclear program and its support of terror, is well known.” His soft words belied the serious nature of Iran’s growing threat. **The President’s refusal to honestly confront the severity of the Iranian threat — let alone condemn the regime’s actions — is in keeping with his pursuit of his new way in the Middle East**, an Obama Doctrine characterized by charming one’s enemies rather than recognizing the realities of the world. Heritage’s James Carafano writes: Once in the White House, President Obama focused laser-like on a “charm offensive” with Iran. When voices rose against the regime in Tehran in the wake of a disputed national election, Obama offered virtually no support for the cries for freedom. Nevertheless**, the “playing nice initiative” with Tehran fell flat. Today, the regime is more aggressive than ever—backing a terrorist take-over of the government in Lebanon, snubbing Western nuclear negotiators, and promoting an Islamist agenda across the region.** At this point, though, **the President’s charm offensive isn’t working. Now is the time to not only acknowledge the problem but push back on Tehran, counter its quest for regional dominance, press for aggressive implementation of existing sanctions, fight for more comprehensive sanctions, and rally international condemnation of Iran’s human rights abuses.**

**They're wrong – images and representations don't cause or prevent weapons manufacturing – the actions of other states are key**

**DE SOETE ’03** (Francois, University of British Columbia "The Nuclear Non-Proliferation Regime," http://www.cda-cdai.ca/symposia/2003/soete.htm)

Instead, **states are considered defensively positional actors**. Realists contend that survival is the primary interest of states. Consequently, **states are more concerned with relative gains**.[7] As John Mearsheimer suggests, **states are sensitive to effects on their relative positions vis-à-vis other states when presented with opportunities for cooperation**.[8] A state that defects from an agreement will attain significant relative gains. More importantly, though, **even if states do not violate the terms of an agreement, one state may benefit more than the other in relative terms**.

#### Epistemology does not come first – defer to rationality

Owen 2 [David Owen, Reader of Political Theory at the Univ. of Southampton, Millennium, Vol 31, No 3]

Commenting on the ‘philosophical turn’ in IR, Wæver remarks that ‘[a] frenzy for words like “epistemology” and “ontology” often signals this philosophical turn’, although he goes on to comment that these terms are often used loosely.4 However, loosely deployed or not, it is clear that debates concerning ontology and epistemology play a central role in the contemporary IR theory wars. In one respect, this is unsurprising since it is a characteristic feature of the social sciences that periods of disciplinary disorientation involve recourse to reflection on the philosophical commitments of different theoretical approaches, and there is no doubt that such reflection can play a valuable role in making explicit the commitments that characterise (and help individuate) diverse theoretical positions. Yet, such a philosophical turn is not without its dangers and I will briefly mention three before turning to consider a confusion that has, I will suggest, helped to promote the IR theory wars by motivating this philosophical turn. The first danger with the philosophical turn is that it has an inbuilt tendency to prioritise issues of ontology and epistemology over explanatory and/or interpretive power as if the latter two were merely a simple function of the former. But while the explanatory and/or interpretive power of a theoretical account is not wholly independent of its ontological and/or epistemological commitments (otherwise criticism of these features would not be a criticism that had any value), it is by no means clear that it is, in contrast, wholly dependent on these philosophical commitments. Thus, for example, one need not be sympathetic to rational choice theory to recognise that it can provide powerful accounts of certain kinds of problems, such as the tragedy of the commons in which dilemmas of collective action are foregrounded. It may, of course, be the case that the advocates of rational choice theory cannot give a good account of why this type of theory is powerful in accounting for this class of problems (i.e., how it is that the relevant actors come to exhibit features in these circumstances that approximate the assumptions of rational choice theory) and, if this is the case, it is a philosophical weakness—but this does not undermine the point that, for a certain class of problems, rational choice theory may provide the best account available to us. In other words, while the critical judgement of theoretical accounts in terms of their ontological and/or epistemological sophistication is one kind of critical judgement, it is not the only or even necessarily the most important kind. The second danger run by the philosophical turn is that because prioritisation of ontology and epistemology promotes theory-construction from philosophical first principles, it cultivates a theory-driven rather than problem-driven approach to IR. Paraphrasing Ian Shapiro, the point can be put like this: since it is the case that there is always a plurality of possible true descriptions of a given action, event or phenomenon, the challenge is to decide which is the most apt in terms of getting a perspicuous grip on the action, event or phenomenon in question given the purposes of the inquiry; yet, from this standpoint, ‘theory-driven work is part of a reductionist program’ in that it ‘dictates always opting for the description that calls for the explanation that flows from the preferred model or theory’.5 The justification offered for this strategy rests on the mistaken belief that it is necessary for social science because general explanations are required to characterise the classes of phenomena studied in similar terms. However, as Shapiro points out, this is to misunderstand the enterprise of science since ‘whether there are general explanations for classes of phenomena is a question for social-scientific inquiry, not to be prejudged before conducting that inquiry’.6 Moreover, this strategy easily slips into the promotion of the pursuit of generality over that of empirical validity. The third danger is that the preceding two combine to encourage the formation of a particular image of disciplinary debate in IR—what might be called (only slightly tongue in cheek) ‘the Highlander view’—namely, an image of warring theoretical approaches with each, despite occasional temporary tactical alliances, dedicated to the strategic achievement of sovereignty over the disciplinary field. It encourages this view because the turn to, and prioritisation of, ontology and epistemology stimulates the idea that there can only be one theoretical approach which gets things right, namely, the theoretical approach that gets its ontology and epistemology right. This image feeds back into IR exacerbating the first and second dangers, and so a potentially vicious circle arises.

#### Their threat arguments are backward – Rejecting threats makes them inevitable

**Fitzsimmons 07** -- Michael Fitzsimmons, Washington DC defense analyst, “The Problem of Uncertainty in Strategic Planning”, SURVIVAL, Winter 06-07, online.

But handling even this weaker form of uncertainty is still quite challeng- ing. If not sufficiently bounded, a high degree of variability in planning factors can exact a significant price on planning. The complexity presented by great variability strains the cognitive abilities of even the most sophisticated decision-makers.15 And even a robust decision-making process sensitive to cognitive limitations necessarily sacrifices depth of analysis for breadth as variability and complexity grows. It should follow, then, that in planning under conditions of risk, variability in strategic calculation should be carefully tailored to available analytic and decision processes. Why is this important? What harm can an imbalance between complexity and cognitive or analytic capacity in strategic planning bring? Stated simply, where analysis is silent or inadequate, the personal beliefs of decision-makers fill the void. As political scientist Richard Betts found in a study of strategic sur- prise, in ‘an environment that lacks clarity, abounds with conflicting data, and allows no time for rigorous assessment of sources and validity, ambiguity allows intuition or wishfulness to drive interpretation ... The greater the ambiguity, the greater the impact of preconceptions.’16 The decision-making environment that Betts describes here is one of political-military crisis, not long-term strategic planning. But a strategist who sees uncertainty as the central fact of his environ- ment brings upon himself some of the pathologies of crisis decision-making. He invites ambiguity, takes conflicting data for granted and substitutes a priori scepticism about the validity of prediction for time pressure as a rationale for discounting the importance of analytic rigour. It is important not to exaggerate the extent to which data and ‘rigorous assessment’ can illuminate strategic choices. Ambiguity is a fact of life, and scepticism of analysis is necessary. Accordingly, the intuition and judgement of decision-makers will always be vital to strategy, and attempting to subordinate those factors to some formulaic, deterministic decision-making model would be both undesirable and unrealistic. All the same, there is danger in the opposite extreme as well. Without careful analysis of what is relatively likely and what is relatively unlikely, what will be the possible bases for strategic choices? A decision-maker with no faith in prediction is left with little more than a set of worst-case scenarios and his existing beliefs about the world to confront the choices before him. Those beliefs may be more or less well founded, but if they are not made explicit and subject to analysis and debate regarding their application to particular strategic contexts, they remain only beliefs and premises, rather than rational judgements. Even at their best, such decisions are likely to be poorly understood by the organisations charged with their implementation. At their worst, such decisions may be poorly understood by the decision-makers themselves.

#### The alternative enables total violence. Their criticism of institutional reform unleashes unconditional violence in the name of cleansing those with dirty hands.

William **Rasch**, Henry H. H. Remak Professor of Germanic Studies, Indiana University, SOVEREIGNTY AND ITS DISCONTENTS, 20**04**, p. 3-4.

Now, if the triumph of a particular species of liberal pluralism denotes the de-politicization of society; one would think that theoretical opposition to this trend would seek to rehabilitate the political. But rather than asserting the value of the political as an essential structure of social life, the post-Marxist left seems intent on hammering the final nails into the coffin. In the most celebrated works of recent years, Giorgio Agamben’s Homo Sacer (1998) and Michael Hardt and Antonio Negri’s Empire (2000), the political (denoted by the notion of sovereignty) is irretrievably identified with nihilism and marked for extinction. In both instances, the political is the cause of the loss of ‘natural innocence’ (Agamben, -1998, p 28), that flowering of human productivity that the Western metaphysical tradition has suppressed; and the logical paradox of sovereignty is to be overcome by the instantiation of a new ontology. In this way, violence, which is not thought of as part of the state of nature but is introduced into the human, condition by flawed or morally perverse social institutions, is to be averred. That is, the faulty supposition of ineluctable violence that guides political theory from Hobbes to Weber is to be replaced by a Heideggerian, Deleuzean, Spinozan or Christian ontology of original harmony. In the words of John Milbank, a Christian social theorist who currently enjoys a modest following among political thinkers on the Left, there is no ‘original violence’, but rather an originary ‘harmonic peace’ which is the ‘sociality of harmonious difference’. Thus violence ‘is always a secondary willed intrusion upon this possible infinite order’ (Milbank, 1990, p 5). This, then, is the great supposition that links the ascetic pessimism of an Adorno with the cheery Christian optimism of Milbank; the world as it is is as it is because of the moral perversity of (some) human agents who willfully construct flawed social institutions. To seek to remedy the perversity of the world as it is from within the flawed social and political structures as they are only increases the perversity of the world. One must, therefore, totally disengage from the world as it is before one can become truly engaged. Only a thorough, cataclysmic cleansing of the world will allow our activities to be both ‘innocent’ and ‘productive’. Clear, though only partially acknowledged, is the fact that this cleansing, which aims at ridding the world of intrusive violence, is itself an act of fierce and ultimate violence – ultimate in its purported finality, but also, certainly, in its extreme ferocity. What remains equally clear, though not acknowledged, is that whoever has the power to determine the nature of this harmonious sociality is the one who can determine which acts of violence are to be judged as intrusions into the placid domain and which acts of violence are to be condoned as necessary means of re-establishing the promise of perpetual peace. Determining the nature of this desired, nay, required originary peace is itself a sovereign act, not the abolition of such sovereignty. What our ultimate sovereign of harmonious peace will do with the willfully violent intruders can only be guessed, but it is certain that they will not be looked upon as legitimate political dissenters, and the unconditional violence that will be used to eliminate their presence will be justified by invoking the ‘harmonic peace’ or ‘natural innocence’ they have so deliberately and maliciously disturbed.

#### The K can’t deny the truth claims of the 1AC – the only way to solve the case impacts is through the plan since the state still exists post alt

Darryl Jarvis (Director of the Research Institute for International Risk and Lecturer in International Relations, The University of Sydney) 2K “International relations and the challenge of postmodernism” p. X

Just because we acknowledge that the state is a socially fabricated entity, or that the division between domestic and international society is arbitrary inscribed does not make the reality of the state disappear or render invisible international politics. Whether socially constructed or objectively given, the argument over the ontological status of the state is no particular moment. Does this change our experience of the state or somehow diminish the political-economic-juridical-military functions of the state? To recognize that states are not naturally inscribed but dynamic entities continually in the process of being made and reimposed and are therefore culturally dissimilar, economically different, and politically atypical, while perspicacious to our historical and theoretical understanding of the state, in no way detracts form its reality, practices, and consequences. Similarly, few would object to Ashley’s hermeneutic interpretivist understanding of the international sphere as an artificially inscribed demarcation. But, to paraphrase Holsti again, so what? This does not make its effects any less real, diminish its importance in our lives, or excuse us form paying serious attention to it. That international politics and states would not exist without subjectivities is a banal tautology. The point, surely, is to move beyond this and study these processes. Thus while intellectually interesting, constructivist theory is not an end point as Ashley seems to think, where we all throw up our hands and announce that there are no foundations and all reality is an arbitrary social construction. Rather, it should be a means of recognizing the structurated nature of our being and the reciprocity between subjects and structures through history. Ashley, however, seems not to want to do this, but only to deconstruct the state, international politics, and international theory on the basis that none of the is objectively given fictitious entities that arise out of modernist practices of representation. While an interesting theoretical enterprise, it is of no great consequence to the study of international politics. Indeed, structuration theory has long taken care of these ontological dilemmas that otherwise seem to preoccupy Ashley

#### Life has intrinsic value

Melinda **Penner**, Director of Operations, STR, “End of Life Ethics: A Primer”, Stand to Reason, 20**05**, http://www.str.org/site/News2?page=NewsArticle&id=5223.

Intrinsic value is very different. Things with intrinsic value are valued for their own sake. They don’t have to achieve any other goal to be valuable. They are goods in themselves. Beauty, pleasure, and virtue are likely examples. Family and friendship are examples. Something that’s intrinsically valuable might also be instrumentally valuable, but even if it loses its instrumental value, its intrinsic value remains. Intrinsic value is what people mean when they use the phrase "the sanctity of life." Now when someone argues that someone doesn’t have "quality of life" they are arguing that life is only valuable as long as it obtains something else with quality, and when it can’t accomplish this, it’s not worth anything anymore. It's only instrumentally valuable. The problem with this view is that it is entirely subjective and changeable with regards to what might give value to life. Value becomes a completely personal matter, and, as we all know, our personal interests change over time. There is no grounding for objective human value and human rights if it’s not intrinsic value. Our legal system is built on the notion that humans have intrinsic value. The Declaration of Independence: "We hold these truths to be self-evident, that all men are created equal, that each person is endowed by his Creator with certain unalienable rights...." If human beings only have instrumental value, then slavery can be justified because there is nothing objectively valuable that requires our respect. There is nothing other than intrinsic value that can ground the unalienable equal rights we recognize because there is nothing about all human beings that is universal and equal. Intrinsic human value is what binds our social contract of rights. So if human life is intrinsically valuable, then it remains valuable even when our capacities are limited. Human life is valuable even with tremendous limitations. Human life remains valuable because its value is not derived from being able to talk, or walk, or feed yourself, or even reason at a certain level. Human beings don’t have value only in virtue of states of being (e.g., happiness) they can experience.

### Consult CP Ans: Topshelf—General 2AC

#### 4. Consultation causes delays – language disputes and layers of intra-nation bureaucracy

**Grieb 2002** (Kenneth J. Grieb is Professor and Coordinator of International Studies at the University of Wisconsin Oshkosh. His is a author of several books dealing with Modern Latin American and United States Diplomatic History -- Encyclopedia of American Foreign Policy – available via: <http://findarticles.com/p/articles/mi_gx5215/is_2002/ai_n19132358>.)

**International relations involve negotiations between the governments of nation-states, which are conducted by their executive branches** under the auspices of their heads of government. Since each state is sovereign, **agreement is reached only when the parties involved in an issue reach unanimous agreement among themselves**. Those nations that do not agree with the consensus among the participants do not sign the resulting agreement and hence are not bound by its provisions. Diplomatic **negotiations are** difficult and **time-consuming, since all those involved must agree on every aspect and word of the agreement**. When the General Assembly of the United Nations (UN) adopted the Universal Declaration on Human Rights in 1948 amid the tensions following the Second World War, over 1,400 separate votes were required before the full declaration was adopted. **Achieving** unanimous **consensus requires extensive, constant, and precise communications** between the heads of government of the nations involved. **Such communications are conducted through a variety of representatives. The number and types of such representatives have proliferated** throughout history and in particular during the twentieth century, when rapid communications increased the need for speedy and ongoing contacts. The end of colonialism during the second half of the twentieth century meant that many more nations and peoples were involved in global and regional issues.

#### Brazil will say no—south-south indoctrination proves

Clare M. **Ribando**, CRS Report for Congress. “Brazil-US relations.” Analyst in Latin American Affairs, Foreign Affairs, Defense, and Trade Division. 2-28-**07**. http://www.wilsoncenter.org/news/docs/RL33456.pdf

Some analysts assert that these “south-south” initiatives have enhanced Brazil’s international profile, but others have noted that they have yielded few concrete results for the country, and that they have come at the expense of Brazil-U.S. relations. Roberto Abdenur, the former Brazilian Ambassador to Washington, has recently criticized the “south-south” approach of the Brazilian Foreign Ministry for indoctrinating Brazilian diplomats with “anti-imperialist” and “anti-American” attitudes.29

#### Relations don’t spill over

Clare M. **Ribando**, CRS Report for Congress. “Brazil-US relations.” Analyst in Latin American Affairs, Foreign Affairs, Defense, and Trade Division. 2-28-**07**. http://www.wilsoncenter.org/news/docs/RL33456.pdf

As a result of its significant political and economic clout, Brazil’s leaders have traditionally preferred to cooperate with the United States on specific issues rather than seeking to develop an all-encompassing, privileged relationship with the United States. The United States, in turn, has increasingly regarded Brazil as a stabilizing force and skillful interlocutor in the hemisphere. While the two nations may disagree on trade issues, they agree on the importance of maintaining regional stability and security, fighting terrorism, and combating narcotics, arms, and human trafficking.30

#### Solvency Deficit: Delay

**BBC** Monitoring International Reports, 6-26-**02** Al- Sharq Al-Awsat p. lexis

The US president also spoke about reaching a final peace between Israel and Syria and Lebanon. This is also in agreement with the Arab position, which believes that the comprehensive and final peace will not be achieved if the negotiations do not include the Syrian and Lebanese tracks. Within the context of pondering the positive points, Bush's statement - which came after a long wait, delay and extensive consultations between Washington and the Arab parties, Israel, the EU and Russia - can be seen as the outcome of the Arab diplomatic efforts that lasted many months to make President Bush's administration undertake its responsibilities in the Middle East in its capacity as the superpower and the main sponsor of the peace negotiations

#### Biodiversity isn’t key to survival

**Calgary Herald**, August 30, 19**97**

Ecologists have long maintained that diversity is one of nature's greatest strengths, but new research suggests that diversity alone does not guarantee strong ecosystems. In findings that could intensify the debate over endangered species and habitat conservation, three new studies suggest a greater abundance of plant and animal varieties doesn't always translate to better ecological health. At least equally important, the research found, are the types of species and how they function together. "Having a long list of Latin names isn't always better than a shorter list of Latin names," said Stanford University biologist Peter Vitousek, co-author of one of the studies published in the journal Science. Separate experiments in California, Minnesota and Sweden, found that diversity often had little bearing on the performance of ecosystems -- at least as measured by the growth and health of native plants. In fact, the communities with the greatest biological richness were often the poorest when it came to productivity and the cycling of nutrients. One study compared plant life on 50 remote islands in northern Sweden that are prone to frequent // from lightning strikes. Scientist David Wardle of Landcare Research in Lincoln, New Zealand, and colleagues at the Swedish University of Agricultural Sciences, found that islands dominated by a few species of plants recovered more quickly than nearby islands with greater biological diversity. Similar findings were reported by University of Minnesota researchers who studied savannah grasses, and by Stanford's Vitousek and colleague David Hooper, who concluded that functional characteristics of plant species were more important than the number of varieties in determining how ecosystems performed. British plant ecologist J.P. Grime, in a commentary summarizing the research, said there is as yet no "convincing evidence that species diversity and ecosystem function are consistently and causally related." "It could be argued," he added, "that the tide is turning against the notion of high biodiversity as a controller of ecosystem function and insurance against ecological collapse."

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