# 1AC

### 1

#### The NPT Rev Con was insufficient: divisions that threaten the collapse of the NPT remain – steps towards disarmament are required

Tanya Ogilvie-White, lecturer in the School of Social and Political Sciences, teaching on the subjects of foreign policy and international organisations at the University of Canterbury, and David Santoro, senior fellow at the Pacific Forum CSIS, where he specializes in nonproliferation and nuclear security, disarmament, arms control, and deterrence issues, 5-27-2011, “Disarmament and Non-proliferation: Towards More Realistic Bargains,” Survival: Global Politics and Strategy, T&F Online

Although the disarmament steps the current administration has taken have so far been relatively small, its wider goals are ambitious. The administration's rationale is that a new era of US disarmament leadership will help strengthen the nuclear non-proliferation regime: that by upholding (and being seen to uphold) its disarmament obligations, the United States will be able to forge greater unity between the nuclear- and non-nuclearweapon states, encouraging states to redouble their non-proliferation efforts.11 In short, the goal is to reinforce the crumbling grand bargains on which the Nuclear Non-Proliferation Treaty (NPT) is buitl, between the five nuclear-weapon states defined as such in the treaty and the remaining parties (the non-nuclear-weapon states). In response to new US disarmament leadership, Obama suggested in Prague, ‘countries with nuclear weapons will move towards disarmament, countries without nuclear weapons will not acquire them, and all countries can access peaceful nuclear energy’.12 The need to reinforce these grand bargains or risk the disintegration of the nuclear non-proliferation regime has been recognised for many years. Concerns about collapse of the NPT reached a peak during the presidency of George W. Bush, when US non-proliferation and disarmament policies, among other developments, aggravated existing tensions between the nuclear- and non-nuclear-weapon states. In 2002, for example, Brad Roberts, now US deputy assistant secretary of defense for nuclear and missile defense policy, warned that the Bush administration's nuclear policy appeared to weaken the US commitment to nuclear disarmament, a stance he deemed dangerous and ill judged. As he explained at the time: To lead in the Security Council, to combat WMD proliferation, to serve as a guarantor of the international treaty regimes is to commit to the disarmament project … The apparent disinterest in linking the effects of the Nuclear Posture Review to the principles and purposes of the [Non-Proliferation Treaty] suggests that the United States is abandoning the effort to move the world, in however slow and indirect way, in the direction of a world in which such weapons could be relinquished because they are seen as unnecessary. The major powers cannot lead if they come to be seen as a nuclear aristocracy, and they cannot escape that negative image if they abandon the nuclear [disarmament] project.13 Under Obama, the United States (in parallel with its UK ally) has been attempting to repair the damage. It was assumed that re-asserting US disarmament leadership was the most obvious way to achieve this, with the expectation that non-proliferation rewards would soon follow. Limits to leadership Jump to section Obama's disarmament agenda Limits to leadership Finding realistic bargains That was the theory. In practice, it is not yet clear whether Obama's policy is paying off in any significant way. The much-anticipated 2010 NPT Review Conference did achieve partial consensus on a final document, but the substantive outcome was disappointing and the divisions that have plagued the regime are still entrenched.14 This has naturally prompted questions over the rationale behind Obama's agenda: have expectations been too high, and sceptics too impatient? Or is there a fundamental flaw in the rationale or the way the agenda has been implemented? Prominent scholars in the arms-control field tend to praise Obama's recognition of the link between nuclear disarmament and non-proliferation. There is nevertheless some criticism of the way this linkage has been framed. Scott Sagan, professor of political science at Stanford University, cautions that the Obama administration could do a better job of showing that the nuclear- and non-nuclear-weapon states have a shared responsibility. He argues that framing the linkage the way US officials did, ‘with the [nuclear weapon states] seen as responsible for disarmament and the [non-nuclearweapon states] responsible for accepting non-proliferation safeguards on their nuclear power programs’ is historically inaccurate because the terms of the treaty were written to apply to both. He adds that the way the linkage was framed is also ‘politically unfortunate’ because it prevents a comprehensive and equitable implementation of the NPT bargains based on shared responsibilities between states with and without nuclear weapons.15 Yet the traditional idea of a grand bargain involving disarmament in exchange for non-proliferation is unlikely to go away any time soon. Although there is shared responsibility for nuclear disarmament, influential scholars and practitioners (especially in the developing world) argue that these responsibilities are not equal: the nuclear-weapon states have a primary responsibility.16 This is true. While Article VI does require all treaty members to pursue disarmament negotiations ‘in good faith’, the letter and the spirit of the article (and its subsequent interpretation in practice) have always been that the nuclear-weapon states would take the lead.17 The problem with the Obama approach may not be that the rationale per se is unsound, but that expectations on both sides are over-hyped and unrealistic, trust and confidence are lacking, and practical measures to encourage reciprocal disarmament and non-proliferation steps are elusive. At the moment, every time the nuclear-weapon states make advances towards disarmament, they congratulate themselves and expect the non-nuclear states to reciprocate by accepting stronger non-proliferation measures. But while the disarmament steps are seen as progress, many non-nuclear-weapon states (Non-Aligned Movement members in particular) do not view them as sufficient. In fact, some believe that the nuclear-weapon states are not serious about disarmament and that they are limiting themselves to baby steps purely to justify imposing stronger non-proliferation and nuclear-security obligations on them.18 At the last NPT Review Conference, for example, pressure on the non-nuclearweapon states to agree that the International Atomic Energy Agency (IAEA) Additional Protocol providing for more rigorous inspection of civilian nuclear facilities should be made the new gold standard of safeguards was high, in view of the leadership shown by some nuclear-weapon states towards disarmament. But many non-aligned states suggested, explicitly or implicitly, that disarmament progress had been insufficient for them to endorse the protocol.19 Additional non-proliferation items that failed (at least in part due to similar concerns over equity and fairness) to generate sufficient support from the non-aligned members at the conference included proposals for tougher provisions on non-compliance and NPT withdrawal, and proposals regarding multinational fuel-cycle arrangements.20 The idea of a grand bargain is unlikely to go away Deep dissatisfaction over the slow, incremental pace of nuclear disarmament extends not only to members and observers of the Non-Aligned Movement, but also to representatives of the New Agenda Coalition, an organisation specifically formed to promote consensus and to make progress on nuclear disarmament. The coalition was launched in Dublin in June 1998, with a Joint Declaration by the foreign ministers of Brazil, Egypt, Ireland, Mexico, New Zealand, Slovenia, South Africa and Sweden (Slovenia later withdrew). These middle powers seek to make progress on nuclear disarmament, by building a bridge between the negotiating positions of the nuclear-weapon states and developing states in UN disarmament forums (especially NPT review conferences).21 Brazil and Egypt have been outspoken This dissatisfaction is a measure of the serious challenges the Obama agenda faces. At the 2010 NPT Review Conference, the South African and Irish delegations both questioned US and Russian disarmament intentions, implying that the nuclear reductions agreed in New START did not necessarily signal a long-term commitment to nuclear elimination, but rather could be motivated primarily by short-term concerns over strategic stability, financial pressures and safety issues.22 South African Ambassador Jerry Matthews Matjila argued that, ‘notwithstanding commendable measures to reduce nuclear arsenals, nuclear weapons [continue] to be relied on in strategic doctrines; such measures must be distinguished from steps towards nuclear disarmament: they [will] not automatically translate into a nuclear-weapon-free world’.23 He also expressed dissatisfaction with the lack of tangible evidence of the nuclearweapon states' commitment to elimination. Brazil and Egypt, also coalition members, have been even more outspoken: ‘We are not’, the UN ambassador for Egypt warned before the start of the review conference, ‘going to accept that each time there is progress on disarmament that we have to take more obligations on our side’.24 Following the release of the US Nuclear Posture Review, a spokesman for Brazil's Foreign Ministry echoed the sentiment.25 It is hardly surprising that the non-proliferation commitments that emerged at the end of the conference were disappointing. Action 30 of the Review Conference Final Document is a case in point, seemingly holding strengthened safeguards hostage to the ‘complete elimination of nuclear weapons’.26 Such results prompt many questions. How much nuclear disarmament is enough? If recent disarmament steps taken by the nuclear-weapon states are deemed insufficient, what steps would satisfy the non-nuclear-weapon states, especially non-aligned members, that enough is being done to fulfil Article VI commitments? Crucially, exactly what nuclear-disarmament progress is enough for advances to be made on nuclear non-proliferation? And for what advances precisely? Conversely, what advances on nuclear non-proliferation are enough for progress towards nuclear disarmament? And for what progress exactly? Joseph Cirincione, a nuclear-policy expert and president of the Ploughshares Fund, once argued that: Nuclear disarmament and preventing proliferation are two sides of the same nuclear security coin. Nuclear disarmament builds the global cooperation needed to prevent new nuclear states and nuclear terrorism; preventing proliferation creates the security needed to continue disarmament. You just have to keep flipping that coin over and over. Each turn makes the world a little safer.27 The problem is that flipping the nuclear-security coin requires not only US commitment but international cooperation. And the fundamental flaw in the Obama administration's nuclear diplomacy is that it raised expectations before enough thought had been given to how, in practical terms, this cooperation could be built. Finding realistic bargains Jump to section Obama's disarmament agenda Limits to leadership Finding realistic bargains The assumption that incremental disarmament can lead non-nuclearweapon states, particularly non-aligned members, to adhere to stronger non-proliferation measures is not necessarily false. Current US policy has already had at least some positive impact: developments such as the April 2010 Nuclear Security Summit and the December 2010 endorsement of the IAEA fuel-bank proposal are signs of growing international support for strengthening the non-proliferation regime. More generally, both the numbers and roles of nuclear weapons are declining in some key nuclearweapon states, and the political space for disarmament discussions has been growing, notably in the United States and United Kingdom but also in a range of other states that have become more vocal about the need to make progress towards a nuclear-weapon-free world.

#### States pursuing nuclear weapons now

David Albright, founder of the Institute for Science and International Security (ISIS), its current president, and author of several books on proliferation of atomic weapons, holds a Master of Science in physics from Indiana University and a M.Sc. in mathematics from Wright State University, taught physics at George Mason University in Virginia, Andrea Stricker, Senior Policy Analyst at ISIS, MA in Security Policy Studies from the Elliott School of International Affairs at George Washington University and a BA in Political Science and French, certificate in Middle Eastern Studies, from the University of Arizona, and Houston Wood, Professor of Mechanical and Aerospace Engineering at the University of Virginia, M.S. in mathematics from Mississippi State University, and his Ph.D. in applied mathematics from the University of Virginia, He was Visiting Scientist at Commissariat a l’Energie Atomique, Saclay, France and at Oak Ridge National Laboratory, Visiting Research Scholar at Princeton University in the Woodrow Wilson School and the Program on Science and Global Security, 7-29-2013 “Future World of Illicit Nuclear Trade Mitigating the Threat” ISIS, http://www.nps.edu/Academics/Centers/CCC/PASCC/Publications/2013/Full%20Report\_DTRA-PASCC\_29July2013-FINAL.pdf

As a short term projection over the next five to ten years, several additional states in dangerous regions of the world, along with terrorist organizations, may seek nuclear weapons. Certain countries with nuclear weapons will continue improving their nuclear arsenals. Others may seek sensitive nuclear facilities, despite U.S. government opposition, but stop short of making nuclear weapons. For most of these countries and certainly for terrorists, illicit trade in nuclear and nuclear-related commodities will remain critical to obtaining nuclear capabilities or seeking or improving nuclear weapons. Illicit nuclear trade, or trafficking in nuclear commodities or technologies, is defined as trade that is not authorized by: 1) the state in which it originates; 2) under international law; 3) the states through which it transits; or 4) the state to which it is imported. The report assesses the next countries and actors likely to use illicit nuclear trade to obtain a range of nuclear or nuclear-related goods to outfit covert or sanctioned nuclear programs. For most countries, illicit nuclear trade has been an essential part of acquiring the wherewithal to make plutonium and highly enriched uranium (HEU) for nuclear weapons and the means to make the nuclear weapon itself, a process often called nuclear weaponization. Of the roughly two dozen countries that have pursued or obtained nuclear weapons during the last several decades, almost all of them depended importantly on foreign supplies.1 These nations have sought complete nuclear facilities, subcomponents of facilities, nuclear materials, classified know-how, and manufacturing capabilities to make key components. There is little risk that legitimate suppliers in the developed world will sell reprocessing or uranium enrichment plants to developing countries in regions of tension. Unable to acquire complete facilities, these developing countries instead seek nuclear subcomponents and “dualuse” goods with ostensibly civil purposes that could enable them to build and operate such nuclear facilities on their own. Control of dual-use goods is particularly challenging because proliferators try to mislead suppliers into believing they are for a civilian, non-nuclear use. Illicit nuclear trade will likely continue well into the future. Figure 1 shows a projection of countries which may use illicit trade in the next five to ten years to create or supply covert or sensitive nuclear programs For countries in the developing world, the pathway to obtaining and improving nuclear weapons will still require illicit nuclear trade. Other, more developed or newly industrialized countries are more independent, but the fact that the global marketplace is increasingly interconnected means that countries often do not seek self-sufficiency in the manufacture of all the goods that would be needed to make nuclear explosive materials or the nuclear weapons themselves. Thus, these countries as well may seek out high-tech, dual-use goods abroad. Several states with nuclear weapons, including India, North Korea, Pakistan, and perhaps China, are expected to continue procuring abroad to maintain or improve their nuclear arsenals. Pakistan’s smuggling operations date to the 1970s and are expected to endure. India, on one hand, seeks parts, equipment, and technology for its civilian nuclear power program, an effort facilitated by the 2008 U.S.-India agreement on civilian nuclear trade, while at the same time engaging in illicit activities to obtain key items for its unsafeguarded nuclear facilities and nuclear weapons program.3 China appears self-sufficient in maintaining and improving its nuclear arsenal, but suspicion remains that it seeks classified know-how and advanced goods from other nations to improve its nuclear forces. Israel used to conduct extensive illegal procurements for its nuclear program, but under pressure from the United States, it largely stopped this practice in the mid-1990s. Advanced industrialized countries, such as France, the United Kingdom, and the United States, do not need illicit trade to maintain their nuclear arsenals. Less is known about Russian practices, although in general it is seen as self-sufficient. Iran is widely suspected to be pursuing nuclear weapons. It currently conducts smuggling operations regularly to outfit its sanctioned nuclear programs, and it did so to supply its secret nuclear weapons program until at least 2004, according to information from the International Atomic Energy Agency (IAEA). 4 Its wide-ranging illicit procurement attempts center on outfitting its growing gas centrifuge program and Arak nuclear reactor project in defiance of a host of supplier countries’ national trade controls and of United Nations Security Council sanctions resolutions that require Iran to suspend both programs. There is hope that the crisis over Iran’s nuclear programs can be solved and it will abandon its uranium enrichment and indigenous reactor programs. However, prospects for such a comprehensive solution are currently not promising, given the failure of several rounds of negotiations between Iran and the P5+1. Without such a settlement, Iran is expected to continue illicitly seeking goods abroad for its sanctioned nuclear programs and perhaps a nuclear weapons program. If Iran’s and North Korea’s nuclear ambitions remain unchecked, in direct defiance of the major powers in the United Nations Security Council and other key UN member states, the international community could face the prospect of several other states seeking nuclear weapons and a severely weakened world order to stop proliferation. A range of countries may seek nuclear weapons capabilities, particularly in the Middle East and North Asia. In the Middle East and North Africa region, Saudi Arabia, Egypt, and Turkey are often discussed as states that may see a nuclear armed Iran as sufficient motivation to seek sensitive nuclear capabilities, particularly uranium enrichment or plutonium separation plants, and perhaps nuclear weapons. Countries, including the United States, would be expected to oppose such efforts, and this opposition could involve efforts to block procurement of needed goods to build and operate sensitive nuclear facilities. All three of these countries, or for that matter, other Arab countries in the Middle East would today and in the future require overseas procurements to build sensitive nuclear facilities. In the next five to ten years, only Turkey is assessed as becoming fully industrialized, although even then, it will likely not be self-sufficient in all the goods needed to build the complex of facilities able to produce separated plutonium or highly enriched uranium, let alone deliverable nuclear weapons. In North Asia, North Korea’s expanding nuclear weapons program and belligerence have unsettled neighboring countries. The South Korean public and some Korean politicians and experts have begun advocating the acquisition of nuclear weapons, although there is no sign that the government would support such a move.5 However, over the next five to ten years, that attitude could shift, particularly if North Korea overtly deploys nuclear weapons and is perceived as succeeding at being begrudgingly accepted as a nuclear weapon state, similar to the status Pakistan and India achieved. Few believe Japan would build nuclear weapons but pressures from certain domestic constituencies to do so could grow with time.6 Similarly, Taiwan is unlikely to build nuclear weapons in the immediate future but it may feel motivated to do so in the longer term. It has attempted to build nuclear weapons twice in the past. The second attempt, in the late 1980s, included starting the construction of a small plutonium separation plant and developing a design for a nuclear weapon small enough to fit under the wing of an attack aircraft.7 All three of these countries are industrialized, but if they decide to seek nuclear weapons, they would still likely procure certain goods from overseas suppliers as a way to reduce costs and increase their pace of building nuclear weapons. Making predictions about additional countries is difficult. Myanmar is likely no longer interested in nuclear weapons if its apparent interest was indeed concrete. In 2012, the regime took dramatic steps that distanced it from nuclear weapons, including announcing plans to sign the IAEA’s Additional Protocol, which should help allay international suspicions about past and possibly ongoing interest in nuclear weapons. 8 But its delay in actually ratifying the Additional Protocol means that it should be monitored for any future signs of interest in proliferation or cooperation with North Korea. Other south or southeastern Asian countries are not suspected of having nuclear weapons ambitions today or in the next several years. In Latin America, despite the lack of evidence of nuclear weapons work, concerns periodically emerge of nuclear weapons ambitions among some countries, more recently Brazil and Venezuela under former President Hugo Chavez. Any such effort would be intensely opposed by the United States, the European Union (EU), and Japan, all critical suppliers and trading partners to Latin American countries. There is more concrete worry that governments will seek sensitive nuclear facilities or capabilities in order to create latent nuclear capabilities. Brazil’s navy has for several decades operated a centrifuge complex, albeit safeguarded and committed to peaceful use since 1990. Brazil states it will use this facility to make enriched uranium, possibly HEU, for nuclear powered submarines. It is unlikely the United States would support such a submarine or the use of HEU fuel. However, few governments have considered trying to block acquisitions for Brazil’s military centrifuge plant or nuclear powered submarines. Of course, there could be surprises. Regional powers and tensions could shift unexpectedly and opportunities to acquire nuclear weapons could emerge that are too tempting to refuse. There remains the risk of new “nuclear wannabes” whether they are states or terrorist groups. Terrorist Groups Terrorist groups, such as Al-Qaeda, are expected to continue attempting to acquire the ability to build “improvised nuclear explosive devices,” or crude atomic bombs. However, few would assess that a terrorist group would be able in the next decade to successfully make plutonium or HEU. Therefore, their main constraint is expected to remain having access to sufficient nuclear explosive material for a nuclear explosive or to a complete, operational nuclear weapon. As a result, programs to better protect stocks of plutonium and highly enriched uranium are critical. Given the sheer quantity of such materials in the world and the inadequate controls over them in some countries, the constraint of lack of access is not strong enough to eliminate the possibility of a terrorist group acquiring enough fissile material for a nuclear explosive. In order to fashion a nuclear explosive, a terrorist group would need additional technology, equipment, and materials. One concern is that terrorists could buy detailed nuclear weapon designs from black marketers or rogue suppliers, easing their task of building improvised explosive devices. Armed with a design, a terrorist group would need to acquire equipment and materials to convert the fissile material into bomb components and construct or acquire a range of other components. This effort to weaponize would likely require the procurement of a range of nuclear dual-use goods. A terrorist group would also need a safe location to assemble the components and expertise to build the nuclear explosive. Lawless regions of the globe could hide such efforts by terrorists. Failed or quasi-failed states in Africa or Asia might be suitable locations where a terrorist group could import the equipment and materials to cobble together its own crude nuclear weapons. Nuclear weapons are in general easier to protect than stocks of separated plutonium and highly enriched uranium. However, extreme care is needed to prevent terrorists from gaining access to operational nuclear weapons. One special concern is Pakistan. A collapsing Pakistan could offer terrorists access to a complete nuclear weapon, whether by an internal actor smuggling such a device or through an outside takeover by a terrorist group. Proliferation May Worsen The problem of nuclear proliferation may augment in the next few decades. Several states can be expected to seek nuclear weapons and those that have them can be expected to work to improve them. Moreover, despite U.S. opposition, some states may seek to build sensitive nuclear facilities, such as uranium enrichment or plutonium separation plants, ostensibly for civil purposes. Given the priority states give to nuclear weapons programs, states seeking sensitive nuclear capabilities will likely have the economic resources to pursue these goals over the next decade. One key part of this effort will remain smuggling of nuclear commodities.

#### NFU solves and deescalates conflict

Lawrence J. Korb is a senior fellow at the Center for American Progress, and served as assistant secretary of defense during the Reagan administration from 1981-1985. In that position, he administered 70 percent of the country’s defense budget and Alexander H. Rothman is a special assistant with the national security and international policy team at the Center for American Progress. 2012 “No first use: The way to contain nuclear war” in South Asia Bulletin of the Atomic Scientists 68(2) 34–42 DOI: 10.1177/0096340212438385

Given the volatile situation in South Asia, think tanks and major international media outlets have written and broadcast repeatedly and at length on efforts to prevent a war in South Asia.2 But theres been a stunning lack of attention to containment, should diplomacy fail and a nuclear conflict between India and Pakistan break out. This attention deficit reveals and reflects a gap in current US nonproliferation policy and the international nonproliferation regime. Since the 1960s, US nonproliferation efforts have largely come in two forms: The United States has worked to prevent the spread of nuclear weapons to new nations through the Nuclear Nonproliferation Treaty (NPT), and it has worked to reduce its own massive nuclear stockpile through bilateral arms negotiations with Russia. The United States has, however, historically resisted international agreements that regulate the use of nuclear weapons in combat.3 If the United States wants to truly minimize the chances of a nuclear war on the Indian subcontinent and to contain such a war, were it to break out it is time for this opposition to end. The United States should adopt a no-first-use policy and aim to make it universal through negotiations to ban the first use of nuclear weapons with the five nuclear weapons states that are signatories of the NPT the United States, Russia, China, France, and the United Kingdom. If these negotiations are successful, the United States and international community can work to bring the three de facto nuclear weapons states India, Pakistan, and Israel into the agreement. Bilateral or multilateral agreements governing the use of nuclear weapons in combat specifically, pledges not to be the first to introduce nuclear weapons into a conflict would decrease the likelihood that a conflict originating between India and Pakistan could spin out of control. For example, should China side with Pakistan in a conflict with India, a Chinese no-first-use pledge would be an incentive for it to resolve the conflict through conventional means, if at all possible. And India, the nuclear arsenal of which is far less advanced than that of China, would have a strong incentive to keep 36 Bulletin of the Atomic Scientists 68(2) the conflict conventional, knowing China will not resort to nuclear weapons unless India does first.

#### NFU boosts NPT credibility by restoring the grand bargain – allows controls on nuclear technology

Lawrence J. Korb is a senior fellow at the Center for American Progress, and served as assistant secretary of defense during the Reagan administration from 1981-1985. In that position, he administered 70 percent of the country’s defense budget and Alexander H. Rothman is a special assistant with the national security and international policy team at the Center for American Progress. 2012 No first use: The way to contain nuclear war in South Asia Bulletin of the Atomic Scientists 68(2) 34–42 DOI: 10.1177/0096340212438385

A US decision to declare a no-first-use policy would have benefits that extend far beyond South Asia. Such a policy would dramatically strengthen Americas arms control credentials, giving the US government the moral authority to push for stronger controls on weapons-usable nuclear technology and material. Also, efforts to negotiate a multilateral agreement banning the first use of nuclear weapons would inject life into the global nonproliferation regime. The NPT is based on a compact between the nuclear and non-nuclear states. The non-nuclear states pledged to refrain from developing a nuclear weapons capacity, and in return, the states that already possessed nuclear weapons in 1968Ñthe United States, the United Kingdom, France, China, and RussiaÑagreed to work toward Ògeneral and complete disarmament.Ó4 But the United States still owns the largest and most advanced arsenal in the world. To effectively pressure the non-nuclear states to live up to their NPT commitments, it is important that the United States clearly demonstrate its efforts to fulfill its own. Declaring a policy of no-first-use would go far in that direction. Moreover, reassuring other countries that they are safe from a US nuclear attack would reduce pressure for them to acquire a nuclear deterrent. Perhaps more significant, a no-firstuse agreement that included the worldÕs major nuclear powers would create an opportunity to bring other nuclear weapons states (India, Pakistan, and Israel) into the global nonproliferation regime. There is no guarantee that any of these three statesÑeach of which refused to sign the NPT and developed nuclear weapons in defiance of the international communityÑwill adopt a no-first-use policy. But there are reasons to believe India, at least, would be interested. Shortly after testing its first nuclear weapon in the late 1990s, India declared it Òwill not be the first to initiate a nuclear strike, but will respond with punitive retaliation should deterrence failÓ (National Security Advisory Board on Indian Nuclear Doctrine, 1999). By the early 2000s, however, India had begun moving away from this unconditional policy, stating that it would consider a nuclear response to chemical or biological attacks (Kapur, 2011). US-led efforts to create an international no-first-use norm might help to persuade India to return to its original policy and thereby improve stability between the South Asian nuclear weapons states.

#### The aff rallies non-nuclear NPT states– saves the NPT

Michael S. Gerson, research analyst at the Center for Naval Analyses (CNA), in Alexandria, Virginia, 2010 “The Next Step for U.S. Nuclear Policy,” International Security, Vol. 35, No. 2 (Fall 2010), pp. 7–47) http://www.mitpressjournals.org/doi/pdf/10.1162/ISEC\_a\_00018

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 afluent 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.

#### Prolif incentivizes aggression – that causes regional instability and increased conventional wars which escalate to global nuclear war

Matthew Kroenig, Professor of Government at Georgetown and Fellow at CFR specializing in Nuclear Security, 5-26-2012, “The History of Proliferation Optimism: Does It Have A Future?” Nonproliferation Policy Education Center, http://www.npolicy.org/article.php?aid=1182andrtid=2

Regional instability: The spread of nuclear weapons also emboldens nuclear powers contributing to regional instability. States that lack nuclear weapons need to fear direct military attack from other states, but states with nuclear weapons can be confident that they can deter an intentional military attack, giving them an incentive to be more aggressive in the conduct of their foreign policy. In this way, nuclear weapons provide a shield under which states can feel free to engage in lower-level aggression. Indeed, international relations theories about the “stability-instability paradox” maintain that stability at the nuclear level contributes to conventional instability.[64] Historically, we have seen that the spread of nuclear weapons has emboldened their possessors and contributed to regional instability. Recent scholarly analyses have demonstrated that, after controlling for other relevant factors, nuclear-weapon states are more likely to engage in conflict than nonnuclear-weapon states and that this aggressiveness is more pronounced in new nuclear states that have less experience with nuclear diplomacy.[65] Similarly, research on internal decision-making in Pakistan reveals that Pakistani foreign policymakers may have been emboldened by the acquisition of nuclear weapons, which encouraged them to initiate militarized disputes against India.[66] Currently, Iran restrains its foreign policy because it fears a major military retaliation from the United States or Israel, but with nuclear weapons it could feel free to push harder. A nuclear-armed Iran would likely step up support to terrorist and proxy groups and engage in more aggressive coercive diplomacy. With a nuclear-armed Iran increasingly throwing its weight around in the region, we could witness an even more crisis prone Middle East. And in a poly-nuclear Middle East with Israel, Iran, and, in the future, possibly other states, armed with nuclear weapons, any one of those crises could result in a catastrophic nuclear exchange. Nuclear proliferation can also lead to regional instability due to preventive strikes against nuclear programs. States often conduct preventive military strikes to prevent adversaries from acquiring nuclear weapons. Historically, the United States attacked German nuclear facilities during World War II, Israel bombed a nuclear reactor in Iraq in 1981, Iraq bombed Iran’s Bushehr reactors in the Iran-Iraq War in the 1980s and Iran returned the favor against an Iraqi nuclear plant, a U.S.-led international coalition destroyed Iraq’s nuclear infrastructure in the first Gulf War in 1991, and Israel bombed a Syrian nuclear reactor in 2007. These strikes have not led to extensive conflagrations in the past, but we might not be so lucky in the future. At the time of writing in 2012, the United States and Israel were polishing military plans to attack Iran’s nuclear program and some experts maintain that such a strike could very well lead to a wider war in the Middle East.

#### New prolif causes crises – learning curves and past luck

Francois Heisbourg, Chairman of the International Institute for Strategic Studies, 4-4-2012, “NUCLEAR PROLIFERATION – LOOKING BACK, THINKING AHEAD: HOW BAD WOULD THE FURTHER SPREAD OF NUCLEAR WEAPONS BE?” Nonproliferation Policy Education Center, http://www.npolicy.org/article.php?aid=1171andrtid=2

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 were; 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 command and 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 and easier 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).

#### Crises force escalation – even rational states’ decisions spin out of control

Matthew Kroenig, Professor of Government at Georgetown and Fellow at CFR specializing in Nuclear Security, 5-26-2012, “The History of Proliferation Optimism: Does It Have A Future?” Nonproliferation Policy Education Center, http://www.npolicy.org/article.php?aid=1182andrtid=2

Thomas Schelling was the first to devise a rational means by which states can threaten nuclear-armed opponents.[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.”[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 control and 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.”[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.[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 likely correct 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 does not 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.

### 2

#### Perceived threat of US dominance fueling China modernization—several reasons

Dan Blumenthal director of Asian Studies at the American Enterprise Institute and Michael Mazza Johns Hopkins University, program manager for AEI's annual Executive Program on National Security Policy and Strategy 2011 “China's Strategic Forces in the 21st Century: The PLA's Changing Nuclear Doctrine and Force Posture,” http://www.npolicy.org/article\_file/Chinas\_Strategic\_Forces.pdf

There are a number of items driving China’s nuclear modernization. Perhaps first and foremost among these is the United States. From China’s point of view, the United States is the number one threat. There is a perception that the U.S. wants to contain China and keep it from becoming a great power. The United States, moreover, is the only country that can challenge all of Beijing’s three core interests: regime survival, sovereignty and territorial integrity, and continued economic growth. How so? With regard to regime survival, it is no secret that the U.S. would like to see political liberalization in China. Indeed, this has long been used as a justification for trading with the PRC—economic liberalization would one day lead to democracy. Having watched America effect regime change in Afghanistan and Iraq and support democratization in the former Soviet Union and in Eastern Europe, China is suspicious of any U.S. attempt to “interfere” with its internal affairs. Similarly, Beijing is concerned with any perceived impingement of its sovereignty and territorial integrity. There are historical reasons for this concern, as the CIA supported separatists in Tibet during the Cold War. In the present day, the U.S. provides a home for Rebiya Kadeer, Xinjiang’s leading activist, and awards medals to the Dalai Lama. Most worrisome for China, the U.S. is the only country with a Taiwan Relations Act and thus the only country that is obligated to ensure that Taiwan can defend itself. Many Chinese believe the U.S. would intervene in any conflict over Taiwan’s ultimate disposition, and that, to Beijing, is a serious threat. Finally, Washington can threaten China’s continued economic prosperity as well. The U.S. is China’s largest trading partner and the U.S. dominates the sea lines of communication. Should Sino-U.S. tensions spike or conflict break out, the U.S. is able to not only cut off its own trade with Beijing, but can also impede the flow of oil and other natural resources to China. A number of U.S. military and nuclear policy developments in particular have driven PLA discussions on China’s own nuclear force. First among these was the Bush administration’s decision to exit the anti-ballistic missile treaty and develop ballistic missile defenses (BMD). China fears that an effective American BMD system will undermine its deterrent. This leads to greater urgency in China’s nuclear development program—strategists believe that more penetrative weapons are needed, and in greater numbers. And some thinkers, again, question the “no first use” policy. They wonder if it is in China’s best interests to maintain a policy in which it will absorb an American strategic attack, and then launch whatever weapons remain against an effective missile defense system. If a conflict is to go nuclear, these people would argue, China should launch its weapons first in the hope of over-saturating America’s missile defenses. China’s leaders were also worried by an apparent shift in U.S. nuclear policy, as evidenced in the 2002 Nuclear Posture Review. The NPR named China as a target for U.S. nuclear weapons and listed a Taiwan Strait crisis as an example of a conflict that could go nuclear.14 Though this was not new policy for the United States, its public airing was ill-received by the Chinese. Perhaps more worrisome for China though, were some specific policy recommendations within the NPR. The inclusion in a “New Triad” of “offensive strike systems (both nuclear and non-nuclear)” once again raised the question in the PLA of how it should respond to a conventional attack upon its strategic assets. The NPR’s proposal that the U.S. develop “improved earth penetrating weapons (EPWs)” (or nuclear bunker busters), “warheads that reduce collateral damage,” and enhanced satellite constellations “to locate successfully and maintain track on mobile targets” raised fears (1) that the U.S. was more likely to use nuclear weapons and (2) that China’s second strike capability would be threatened and thus its deterrent capabilities undermined.15

#### Some modernization is inevitable but US first use policies make it worse

George Perkovich, vice president for studies and director of the Nuclear Policy Program at the Carnegie Endowment for International Peace, and Ernest W. Lefever, senior fellow and founder of the Ethics and Public Policy Center, December 2000, “Loose Nukes: Arms Control Is No Place for Folly,” Foreign Affairs, Vol. 79, No. 6, pp. 162-167

The thousands of American nuclear weapons under a first-use doctrine will also eventually compel China to make its own long-range force, currently a mere 20 nuclear weapons, more threatening. Beijing was inevitably going to expand its arsenal, but Washington's nuclear strategy plus the prospect of ballistic missile defenses will push China to put a hair trigger on its growing forces as well. The two countries lack any agreed and verifiable "rules of the road" to avoid driving off a nuclear cliff in the fog of crisis. Many defense officials believe that the United States is caught in the middle of a China-Taiwan political faceoff that is brewing a major military crisis. A Taiwanese bid for independence would provoke a perilous spiral of progressive confrontations: China would likely launch conventionally armed ballistic missiles across the Taiwan Strait; U.S. naval forces could become engaged; and for the first time in history, two nuclear-armed states might fire missiles at each other. Once missiles fly and casualties mount, how confident can Chinese and American officials be that nuclear weapons are not going to drop from the next sortie? The U.S. bombing of China's Belgrade embassy during the war over Kosovo gives a sobering reminder that even the best-equipped military is not immune to intelligence failures or miscalculation during a crisis. Current American policies assume that China's military is bluffing and that U.S. nuclear superiority and missile defenses could intimidate the People's Liberation Army (PLA) at the critical moment. Yet Washington presses Taiwan not to declare independence precisely because the PLA may not be deterred, and the consequent risk of armed conflict is high. Indeed, President Jiang Zemin did not hesitate to threaten military force in 1996, when the Clinton administration merely allowed then Taiwanese President Lee FOREIGN AFFAIRS- November / December 2000 [ 16 3 ]

#### We have reverse causal evidence – first use policies risk nuclear miscalculation but an NFU reduces the risk

Hans Kristensen et al special advisor to the Danish Minister of Defense Robert Norris a senior research associate with the Natural Resources Defense Council nuclear program and director of the Nuclear Weapons Databook project and Ivan Oelrich vice president for Strategic Security Programs at the Federation of American Scientists 04-2009 “From Counterforce to Minimal Deterrence: A New Nuclear Policy on the Path Toward Eliminating Nuclear Weapons Occasional Paper”

The second nuclear-only mission is a first strike against an enemy’s nuclear forces. Existing nuclear weapons are immensely powerful and have considerable capabilities against even very hard targets. In particular, they are the only weapons currently available that can plausibly attack ballistic missiles stored in underground concrete launchers, or silos, or that can barrage the deployment areas for land-based mobile missiles. Thus, nuclear weapons are the only weapons that would be even potentially effective in a disarming first strike against an enemy. In a crisis they could be used to strike the other side’s nuclear weapons first to reduce the damage that might be inflicted on the United States.23 Adopting a minimal deterrence doctrine along with the appropriate physical changes in weapons, delivery systems, and deployments, would mean abandoning the capability to carry out a surprise disarming first strike on an adversary’s weapons of mass destruction forces. Giving up this one mission will be particularly difficult politically because it will appear to be a choice to deliberately leave the nation vulnerable yet it will also remove the incentive for maintaining the most dangerous deployments of nuclear weapons. While vulnerability could increase in the unlikely near-term case of a near-inevitable nuclear war, the net effect of eliminating the counterforce mission will enhance the nation’s security in the long run. Justifying a first strike depends upon knowing with near certainty when the enemy is about to strike, so that you can go first. The president might be faced with choosing between an estimated high probability of being struck first in a looming nuclear war or accepting the certainty of a nuclear war—certain because he would start the war—in exchange for the reduced damage that would occur by being the first to strike the enemy. Since the damage from a nuclear attack, even from a reduced Russian attack made with what was left after a U.S. first strike, would be horrendous, this would be an extraordinarily difficult choice. The decision to strike first would require near-perfect confidence in intelligence about the intentions of the enemy during a crisis and that is unlikely. On the other side of the balance, the United States’ ability to attack and destroy Russian nuclear forces is not without cost. The Russians and Chinese are all too aware of their vulnerability and try to compensate through operational measures. In the case of Russia, these may include launching their weapons on warning of an incoming American attack. This tactic will get many of the Russian missiles into the air before they can be destroyed on the ground but would have catastrophic consequences if Russian early warning was actually a false alarm. The Russians may take other risky measures during a crisis if they perceived their forces to be vulnerable, such as pre-delegating launch authority to lower echelons for fear of a decapitating strike on national leaders. Moreover, dispersing weapons to improve survivability increases the possibility of accident and theft by or diversion to terrorists. The counterforce capabilities of the United States also affect Russian and Chinese force structure decisions. Because a large fraction of U.S. forces is on invulnerable submarines, the Russians have no hope of a disarming first strike against the United States. The Russians must be resigned to a retaliatory attack (or at best a very limited counterforce attack) so part of the Russian calculation of an adequate force structure is to have enough weapons after an American first strike to still retaliate with forces adequate to deter. Thus, if the Russians judge that some minimum number of weapons is adequate for retaliation and further calculate that a U.S. first strike attack would be, say, 90 percent effective, then they must maintain ten times more weapons than they would judge would be needed for effective retaliation. While the United States may benefit in one case by blunting the effectiveness of the Russian attack on the United States, precisely that capability is part of what motivates the Russian force that needs to be destroyed; that is, maintaining a counterforce capability for the rare possibility that it might reduce damage to the United States creates an ongoing, day-by-day increase in the threat to the United States. The U.S. Intelligence Community has repeatedly stated that U.S. counterforce capabilities have triggered Chinese nuclear modernizations, developments that are now seen as strategic challenges to U.S. national security and constraining its options in the Pacific. The U.S. Defense Intelligence Agency concluded in 1999 that, “China feels [its nuclear] deterrent is at risk over the next decade because of U.S. targeting capabilities, missile accuracy, and potential ballistic missile defenses. Beijing is, therefore, modernizing and expanding its missile force to restore its deterrent value.”24 CIA’s Robert Walpole echoed this assessment in 2002 when he told the Senate Armed Services Committee that the Chinese effort to deploy mobile long-range missiles as an alternative to silo-based missiles got underway because “China became concerned about the survivability of its silos when the U.S. deployed the Trident II-D5 because you could hit those silos.”25 Most recently, in March 2009, the ector of U.S. National Intelligence, Dennis Blair, stated before the Senate Armed Services Committee that China is modernizing its “strategic forces in order to address concerns about the survivability of those systems in the face of foreign, particularly U.S., advances in strategic reconnaissance, precision strike, and missile defenses.”26 A calculation of U.S. security must compare the long term, on-going risks that are triggered by maintaining U.S. counterforce capabilities with the possible, but highly unlikely, advantage of launching a first strike counterforce attack. We believe that the net security benefit of maintaining a counterforce first strike capability is uncertain at best and is more than likely strongly negative. If the United States abandons its counterforce capability under a minimal deterrence policy, changes in Russian and Chinese arsenal size and deployment could result. The Russians could make some immediate changes in response. For example, since they are as worried about responding disastrously to a false warning of attack as the United States is, they could adjust their threshold for launch to reflect their altered perception of the threat. China, likewise, might, if the United States and Russia relaxed their postures, be less inclined to modify its nuclear doctrine, a concern stated repeatedly by the Pentagon.27 Changes in the Russian and Chinese nuclear forces would not be automatic, of course. We believe, however, that moving away from counterforce will more importantly open opportunities for negotiated symmetric reductions in the forces of all sides. By abandoning counterforce capability against Russia, the United States might be able to negotiate reductions in Russian forces down to the levels that they would have after a U.S. counterforce first strike, to the clear security advantage of both. There is no question that bringing the next tier of nuclear powers, probably China, Britain, and France, into arms reduction negotiations will be complex and challenging, but management of the Chinese threat in particular will be easier without their fearing a disarming first strike. The Chinese are in the difficult position of currently seeing such a threat from both the United States and the Russians, and all sides have clear benefits from curtailing the nuclear mission. An American focus on retaliation alone will allow negotiation of changes in the Russian force structure and, with both nuclear superpower arsenals being less offensively-oriented, Chinese constraint on missile numbers, payload, and MIRVing will be easier.

#### Crisis between the US and China are likely – Seas, Taiwan

Avery Goldstein David M. Knott Professor of Global Politics and International Relations, Director of the Center for the Study of Contemporary China, and Associate Director of the Christopher H. Browne Center for International Politics at the University of Pennsylvania, 2013 “First Things First: The Pressing Danger of Crisis Instability in U.S.-China Relations” International Security Spring 2013, Vol. 37, No. 4, Pages 49-89)

U.S.-China Crises: More Likely Than War; More Than Just Taiwan The running debate about the long-term implications of China’s rise is not just an unfortunate diversion from the more urgent danger facing the United States and China today—the risk of a war-threatening crisis—it is also a surprising diversion given that near-term concerns about the dangers of conºict while China remains relatively weak were raised more than a decade ago in a widely cited article by Thomas Christensen.10 To be sure, Christensen’s arguments about asymmetric conºict did result in analysts paying more attention to the weapons and strategies that Beijing was developing to cope with continued U.S. superiority should ªghting occur, particularly in the Taiwan Strait. Yet, the article did not result in a close focus on broader questions about the prospects for the initial resort to force during a Sino-American crisis. For three reasons, a focus on potential instability in U.S.-China crises, rather than on scenarios for warfighting, as well as on the potential for such crises emerging in contingencies other than Taiwan, is warranted. First, a crisis would not only be likely to precede significant military action; it would also be accompanied by the risk of grave consequences from the use of force, even if war were ultimately avoided. A now voluminous literature comparing Chinese and U.S. military options has discussed escalation risks (usually when invoking concerns about limiting conºict once military force has been used), but it has given short shrift to the prior question of the initial escalation to the use of force. The literature that does discuss crises in U.S.China relations has provided close assessments of historical cases and has ofI fered suggestions for crisis prevention and crisis management. This literature has not, however, integrated its Sino-American empirical focus with the theoretical ideas developed by international relations scholars to illuminate the problem of crisis instability.11 Second, although scholars and policymakers have long speculated about and planned for a wide variety of ways in which wars between nuclear-armed great powers might be conducted, there have (fortunately) been no such wars from which to draw lessons. By contrast, the literature on crisis instability is at least partly informed by the actual experience of crises between two nucleararmed great powers that occurred during the Cold War. This literature can serve as a starting point for thinking about the crises that could ensnare the United States and China.12 Third, East Asian theaters other than the Taiwan Strait now present clear risks for crises and conflicts that could involve the United States and China over the next decade or two. Indeed, some analysts might argue that the probability of a Sino-American crisis elsewhere has risen, whereas the probability of a military confrontation over Taiwan’s fate has diminished.13 Cross-strait reF lations have improved signiªcantly in recent years, and since 2003, the United States has more deªnitively stated that it does not support a Taiwanese push for independence—the most likely trigger, as Christensen explained, for China to resort to force in the face of superior U.S. capabilities.14 Yet the potential for a dangerous confrontation over Taiwan endures, and therefore continues to warrant close attention. In contrast with the diminished prospect for a showdown over Taiwan, the possibility that the United States and China could ªnd themselves in a crisis triggered by sovereignty disputes in the South China Sea or the East China Sea has increased. Since 2005, a period of relatively low tension over claims to maritime territories and seas in East Asia has given way to growing concern about the willingness and ability of China and its neighbors to settle their differences peacefully.15 Beijing has long refused to rule out the use of military force as the ultimate means for ensuring claims to what it views as sovereign territory and adjacent waters. Although the United States is not a claimant in any of these vexing regional disputes, the U.S. government has clearly stated its principled opposition to the use of force to resolve such matters and, more to the point, has treaty commitments to two of the countries (Japan and the Philippines) that are contesting China’s claims, and increasingly close ties with a third (Vietnam).16 Perhaps as important, since the early months of President Barack Obama’s administration, the United States has devoted more attention to East Asia and to Paciªc maritime issues that could trigger clashes between China and its neighbors. Most notably, in 2011 the United States clearly articulated its intention to rebalance its strategic priorities to emphasize the Asia-Paciªc region. For China and for American allies with which China has maritime disputes, this diplomatic turn has reinforced the perception that U.S. involvement in the event of a regional crisis or conºict is a real possibility.17 China and the United States also have a sharp disagreement about U.S. military forces operating in the international seas and airspace near China. The United States adheres to its long-standing principle of freedom of navigation in and above waters beyond the 12-mile territorial limit that it deªnes as the high seas. China, by contrast, asserts that the waters in which unrestricted freedom of navigation extends to military vessels begin only outside the country’s exclusive economic zone (EEZ)—precluding unconstrained U.S. air and naval operations beyond 12 miles but still within the 200-mile EEZ limit.18 This disagreement is not merely an academic dispute about international law. On the contrary, both sides know that U.S. intelligence gathering in and above the waters within China’s EEZ has important military implications. Moreover, the prospect for confrontations resulting from U.S.-Chinese disagreement about these activities is more than just conceivable. There have already been incidents precipitating angry standoffs between Chinese and American vessels, followed by each side restating its principled position.19 Most notably, the refusal of either side to revise its position contributed to the April 2001 collision between a U.S. surveillance plane and a trailing Chinese ªghter jet that led to the death of the Chinese pilot, the emergency landing of the U.S. EP-3 on China’s Hainan Island, and difªcult negotiations to release the American crew and craft. The fundamental disagreement between the United States and China about rights of passage through and over maritime areas could also have volatile implications for vital sea lines of communication in the South China Sea near territories that Beijing claims as its own. The extensiveness of China’s claims to the Spratly Islands, in particular, provides a basis for insisting that much of the South China Sea falls within China’s EEZ, which, according to Beijing, obligates foreign military vessels to seek consent before passing through its sealanes. The sensitivity of this issue and its potential for Sino-American friction were underscored during the 2010 Association of Southeast Nations Regional Forum in Hanoi, when China’s foreign minister reacted in an unexpectedly harsh way to Secretary of State Hillary Clinton’s rather mild diplomatic expressions of U.S. hopes for a peaceful resolution of sovereignty disputes in the South China Sea and her suggestion that multilateral forums could be useful in this regard.20

#### A first use posture makes these crises unstable – creates the incentive for launch

Michael S. Gerson, research analyst at the Center for Naval Analyses (CNA), in Alexandria, Virginia, 2010 “The Next Step for U.S. Nuclear Policy,” International Security, Vol. 35, No. 2 (Fall 2010), pp. 7–47) http://www.mitpressjournals.org/doi/pdf/10.1162/ISEC\_a\_00018

On the other hand, if states do believe that the United States might use nuclear weapons first in a disarming first strike, a severe crisis against a nuclear-armed adversary could be especially dangerous and unstable. If nuclear weapons are used in anger, the most likely pathway is in the context of a severe international or political crisis, perhaps in the context of an ongoing conventional war, rather than a “bolt-from-the-blue” nuclear attack. Consequently, an especially appropriate lens through which to evaluate U.S. nuclear policy and posture is in terms of their impact on crisis stability. 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, either to achieve some strategic advantage or to prevent the other side from gaining some perceived advantage by getting in the first blow.92 From the perspective of crisis stability, those who argue that the United States should continue to hold out the option of first use—even if it is a bluff—because it might have some deterrent effect downplay or neglect the possibility that leaving open the option to use nuclear weapons first might increase the chance that nuclear weapons are used accidentally, inadvertently, or deliberately, especially in crises involving minor nuclear powers.93 Although the concept of stability dominated much of the Cold War debate, leading to elaborate theories and models of crisis, first strike, and arms race stability, by the late 1960s and early 1970s, both the U.S. and Soviet nuclear arsenals had grown so large, diverse, and survivable that any concerns about instability arising from counterforce exchange ratios or technological breakthroughs were almost certainly unfounded.94 The condition of mutually assured destruction (MAD) helped solve the strategic stability problem by ensuring that neither side could gain any meaningful advantage from striking first.95 In the modern nuclear environment, however, strategic stability— especially crisis stability—is far from assured. Given U.S. quantitative and qualitative advantages in nuclear forces,96 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 a U.S. disarming first 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. There are three causal pathways through which the continued U.S. option to use nuclear weapons first could generate crisis instability. First, in a severe crisis (perhaps in the context of an ongoing conventional war97), intense apprehensions about a U.S. first strike could prompt an opponent to take dangerous 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.98 In the 1990–91 Gulf War, for example, Saddam Hussein dispersed his ballistic missiles to decrease their vulnerability to attack and apparently pre-delegated launch authority to a select group of commanders for the use of CW in certain circumstances.99 Loosening centralized control, adopting a hair-trigger posture, or simply acting in haste to generate forces and increase survivability increases the possibilities of an accidental launch or other miscalculations that lead to unauthorized use. Second, in the midst of an intense crisis, an adversary’s 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, in a crisis an adversary’s concerns about a U.S. disarming nuclear strike could prompt it to take measures to decrease the vulnerability of its forces, such as mating warheads to delivery vehicles, fueling missiles, dispersing forces, raising alert levels, or erecting mobile ballistic missile launchers. While the opponent might intend these measures to signal resolve and to deter a U.S. counterforce first 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.100 In this situation, an opponent’s fear of a U.S. first strike encourages actions that, through miscommunication and miscalculation, might inadvertently trigger a U.S. preemptive attack. If the opponent has any remaining weapons after a U.S. strike, at least some of them might be used in retaliation against the United States or its allies. This dynamic may be especially pernicious in a future crisis if U.S. leaders believe that the opponent is willing to take substantial risks, because then decisionmakers may be more inclined to interpret the adversary’s actions as preparations for a nuclear attack rather than as defensive signals intended for deterrence. Whereas in the logic of crisis instability outlined above the use of nuclear weapons occurs through accident or miscommunication, extreme concerns about a U.S. nuclear first strike might also prompt a state to deliberately use nuclear weapons first. There are two rationales for intentional nuclear first use by a state that fears a U.S. disarming first strike. First, in the context of an intense crisis in which the adversary believes that the United States might attempt a disarming first strike, 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-orlose-it” mentality might give an opponent a strong incentive to preempt.101 In this case, 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. Desperation, rather than advantage, could compel an opponent to preempt.102 Second, an adversary might rationally choose to use nuclear weapons first if it believes that nuclear escalation could be an effective means to de-escalate a losing conventional conflict. Similar to NATO’s strategy in the Cold War, a state might initiate a limited nuclear attack to raise the risk of further escalation and thereby inºuence the United States’ resolve to continue the war.103 Consequently, if an adversary believes that nuclear escalation is a “trump card” that could be used to force a negotiated settlement, and if there is significant concern about a U.S. disarming first strike (perhaps as a pretext for regime change) during an ongoing conventional engagement, then the opponent might choose to use nuclear weapons at an early point in the conºict.104

#### Miscalculation is the most probable scenario for nuclear use

Avery Goldstein, David M. Knott Professor of Global Politics and International Relations, Director of the Center for the Study of Contemporary China, and Associate Director of the Christopher H. Browne Center for International Politics at the University of Pennsylvania, 2013 “First Things First: The Pressing Danger of Crisis Instability in U.S.-China Relations” International Security Spring 2013, Vol. 37, No. 4, Pages 49-89

Two concerns have driven much of the debate about international security in the post–Cold War era. The ªrst is the potentially deadly mix of nuclear proliferation, rogue states, and international terrorists, a worry that became dominant after the terrorist attacks against the United States on September 11, 2001.1 The second concern, one whose prominence has waxed and waned since the mid-1990s, is the potentially disruptive impact that China will have if it emerges as a peer competitor of the United States, challenging an international order established during the era of U.S. preponderance.2 Reflecting this second concern, some analysts have expressed reservations about the dominant post–September 11 security agenda, arguing that China could challenge U.S. global interests in ways that terrorists and rogue states cannot. In this article, I raise a more pressing issue, one to which not enough attention has been paid. For at least the next decade, while China remains relatively weak, the gravest danger in SinoF American relations is the possibility the two countries will find themselves in a crisis that could escalate to open military conflict. In contrast to the long-term prospect of a new great power rivalry between the United States and China, which ultimately rests on debatable claims about the intentions of the two countries and uncertain forecasts about big shifts in their national capabilities, the danger of instability in a crisis involving these two nuclear-armed states is a tangible, near-term concern.3 Even if the probability of such a war-threatening crisis and its escalation to the use of signiªcant military force is low, the potentially catastrophic consequences of this scenario provide good reason for analysts to better understand its dynamics and for policymakers to fully consider its implications. Moreover, events since 2010—especially those relevant to disputes in the East and South China Seas—suggest that the danger of a military confrontation in the Western Paciªc that could lead to a U.S.-China standoff may be on the rise. In what follows, I identify not just pressures to use force preemptively that pose the most serious risk should a Sino-American confrontation unfold, but also related, if slightly less dramatic, incentives to initiate the limited use of force to gain bargaining leverage—a second trigger for potentially devastating instability during a crisis.4 My discussion proceeds in three sections. The ªrst section explains why, during the next decade or two, a serious U.S.-China crisis may be more likely than is currently recognized. The second section examines the features of plausible Sino-American crises that may make them so dangerous. The third section considers general features of crisis stability in asymmetric dyads such as the one in which a U.S. superpower would confront an increasingly capable but still thoroughly overmatched China—the asymmetry that will prevail for at least the next decade. This more stylized discussion clariªes the inadequacy of focusing one-sidedly on conventional forces, as has much of the current commentary about the modernization of China’s military and the implications this has for potential conºicts with the United States in the Western Paciªc,5 or of focusing one-sidedly on China’s nuclear forces, as a smaller slice of the commentary has.6 An assessment considering the interaction of conventional and nuclear forces indicates why escalation resulting from crisis instability remains a devastating possibility.

#### India will prolif to counter-balance China modernization—this spills over to Pakistan

Dan Blumenthal director of Asian Studies at the American Enterprise Institute and Michael Mazza Johns Hopkins University, program manager for AEI's annual Executive Program on National Security Policy and Strategy 2011 “China's Strategic Forces in the 21st Century: The PLA's Changing Nuclear Doctrine and Force Posture,” http://www.npolicy.org/article\_file/Chinas\_Strategic\_Forces.pdf

The Sino-Indian nuclear relationship is, however, much more complicated. India is China’s tenth largest trading partner and China is India’s largest. From an economic perspective, it would appear that Asia’s two giants have an interest in maintaining friendly, peaceful relations. Still, Beijing and Delhi have a long history of distrust and incompatible strategic interests. The most obvious areas of tension are the ongoing border disputes and China’s close military relations with Pakistan—Beijing has provided assistance to Islamabad in its nuclear weapons and ballistic missile programs. Additionally, with its “look east” policy, Delhi aims to increase its reach into an area considered by China to be its own sphere of influence; the reverse is true for China’s “string of pearls” strategy, through which it is increasing its presence in the Indian Ocean and leaving India feeling encircled. Perhaps more than any other region in the Asia-Pacific, South Asia has great potential for an arms race and for explosive conflict. India has shown remarkable restraint in response to terror attacks emanating from Pakistan in recent years, though things could spiral downhill very quickly. And even though both India has strategic weapons, that has not kept China from provoking Delhi, especially in recent years. References to China’s victory in the 1962 war have appeared much more frequently in official Chinese statements, some Chinese officials have laid claim to sovereignty over all of Arunachal Pradesh—or “Southern Tibet”—and PLA forces have crossed the line of actual control and destroyed Indian military bunkers and outposts.17 Tibet—now reportedly home to nuclear weapons targeted on India18—is also a flashpoint. India is home to the Dalai Lama and the Tibetan government-in-exile and to this day recognizes only Chinese suzerainty (rather than sovereignty) over Tibet. Some of Tibet’s holiest sites are in Indian territory and the Chinese fear that the Dalai Lama may name a successor somewhere outside of China. According to India scholar Dan Twining, “some Indian strategists fear that China may act to preempt, or respond to, an announcement of the Dalai Lama’s chosen successor in India…by deploying the People’s Liberation Army to occupy contested territory along the Sino-Indian border.”19 Chinese officials often list Tibetan separatism as one of China’s top three threats, so Beijing may have an itchy trigger finger (on its conventional forces) when it comes to ensuring security on the Tibetan plateau. Though China certainly does not want a war with India at this time, it seems like Beijing does not necessarily fear one either—and that’s a frightening thought, given the nuclear component of the relationship. And though both countries at the moment maintain NFU pledges and have relatively small arsenals, these arsenals are likely to grow. As China modernizes its nuclear force and potentially changes its nuclear doctrine to meet the needs of deterring America, India will need to respond to China’s build-up, which will have a domino affect on Pakistan’s nuclear forces as well. Similar logic applies to conventional build-ups. And while China must now consider its economic relationship with India when providing (conventional) arms to Pakistan, Beijing’s strategic logic has not changed all that much since the days of the Cold War—India presents a threat to China’s sovereignty and territorial integrity (and economy, given that it sits astride key shipping lanes). Arming Pakistan complicates India’s strategic environment and forces Delhi to divide its attention. As China modernizes its conventional and strategic arsenals and develops its own missile defense system, it will pose a greater and more varied threat to India. In turn, India may believe it necessary to adjust its own nuclear doctrine. Moreover, given the apparent change in India’s strategic thinking as it prepares for a potential two-front war against both Pakistan and China, Delhi may in the future rely more heavily on its strategic weapons if it fails to develop conventional forces sufficient to deal with both foes at once. All of this is to say that the nuclear balance in South Asia may soon enter a period of flux, with potentially destabilizing consequences for the region.

#### Indo-Pak war likely

Lawrence J. Korb is a senior fellow at the Center for American Progress, and served as assistant secretary of defense during the Reagan administration from 1981-1985. In that position, he administered 70 percent of the country’s defense budget and Alexander H. Rothman is a special assistant with the national security and international policy team at the Center for American Progress. 2012 No first use: The way to contain nuclear war in South Asia Bulletin of the Atomic Scientists 68(2) 34–42 DOI: 10.1177/0096340212438385

In the twenty-first century, the Indian subcontinent has surpassed Europe as the most likely region for nuclear war. Over the past three decades, the Cold War giantsÑthe United States and RussiaÑhave reduced their nuclear arsenals by more than 70 percent (Cirincione, 2011). Meanwhile, India and Pakistan have begun the world’s second nuclear arms race. Since their partition in 1947, India and Pakistan have fought three major wars and remained on the brink of conflict for more than six decades. The South Asian neighbors carried out rival nuclear weapons tests in 1998 and are now estimated to possess at least 80 nuclear weapons each (Oswald, 2011). Pakistan has more than doubled the size of its arsenal in the past four years, likely as a means of countering IndiaÕs greater conventional strength (Korb and Rothman, 2011). As these countries develop more advanced nuclear capabilities, chances increase that even a relatively small skirmish could escalate into a nuclear conflict. For example, earlier this year, Pakistan announced it had tested a small nuclear warhead designed to be used against invading troops on Pakistani soil (The Economist, 2011).

#### Extinction

Alan Robock, professor in the Department of Environmental Sciences at Rutgers University and PhD in Meterology, and Owen Brian Toon, Professor of Atmospheric and Oceanic Sciences and a fellow at the Laboratory for Atmospheric and Space Physics, January 2010, “South Asian Threat? Local Nuclear War = Global Suffering” published in Scientific American magazine, Vol. 302, Issue 1

Worry has focused on the U.S. versus Russia, but a regional nuclear war between India and Pakistan could blot out the sun, starving much of the human race Twenty-five years ago international teams of scientists showed that a nuclear war between the U.S. and the Soviet Union could produce a "nuclear winter." The smoke from vast fires started by bombs dropped on cities and industrial areas would envelop the planer and absorb so much sunlight that the earth's surface would get cold, dark and dry, killing plants worldwide and eliminating our food supply. Surface temperatures would reach winter values in the summer. International discussion about this prediction, fueled largely by astronomer Carl Sagan, forced the leaders of the two superpowers to confront the possibility that their arms race endangered not just themselves but the entire human race. Countries large and small demanded disarmament. Nuclear winter became an important factor in ending the nuclear arms race. Looking back later, in 2000, former Soviet Union leader Mikhail S. Gorbachev observed, "Models made by Russian and American scientists showed that a nuclear war would result in a nuclear winter that would be extremely destructive to all life on earth; the knowledge of that was a great stimulus to us, to people of honor and morality, to act." Why discuss this topic now that the cold war has ended? Because as other nations continue to acquire nuclear weapons, smaller, regional nuclear wars could create a similar global catastrophe. New analyses reveal that a conflict between India and Pakistan, for example, in which 100 nuclear bombs were dropped on cities and industrial areas--only 0.4 percent of the world's more than 25,000 warheads--would produce enough smoke to cripple global agriculture. A regional war could cause widespread loss of life even in countries far away from the conflict. Regional War Threatens the World By deploying modern computers and modern climate models, the two of us and our colleagues have shown that not only were the ideas of the 1980s correct but the effects would last for at least 10 years, much longer than previously thought. And by doing calculations that assess decades of time, only now possible with fast, current computers, and by including in our calculations the oceans and the entire atmosphere--also only now possible--we have found that the smoke from even a regional war would be heated and lofted by the sun and remain suspended in the upper atmosphere for years, continuing to block sunlight and to cool the earth. India and Pakistan, which together have more than 100 nuclear weapons, may be the most worrisome adversaries capable of a regional nuclear conflict today. But other countries besides the U.S. and Russia (which have thousands) are well endowed: China, France and the U.K. have hundreds of nuclear warheads; Israel has more than 80, North Korea has about 10 and Iran may well be trying to make its own. In 2004 this situation prompted one of us (Toon) and later Rich Turco of the University of California, Los Angeles, both veterans of the 1980s investigations, to begin evaluating what the global environmental effects of a regional nuclear war would be and to take as our test case an engagement between India and Pakistan.

#### NFU solves Indo-Pak and China miscalc

Lawrence J. Korb is a senior fellow at the Center for American Progress, and served as assistant secretary of defense during the Reagan administration from 1981-1985. In that position, he administered 70 percent of the country’s defense budget and Alexander H. Rothman is a special assistant with the national security and international policy team at the Center for American Progress. 2012 No first use: The way to contain nuclear war in South Asia Bulletin of the Atomic Scientists 68(2) 34–42 DOI: 10.1177/0096340212438385

If the United States entered a series of bilateral or multilateral no-first-use agreements, the likelihood of the spread of nuclear conflict would inevitably decrease. In the event of a conflict on the Indian subcontinent, a no-first-use accord between the United States and China, for example, would greatly increase the chances that a nuclear conflict between India and Pakistan would remain confined to those two countries. Even if Pakistan or India resort to using nuclear weapons against each other, there is little likelihood that either would attack the United States or China, given the much larger arsenals of both of those countries and their second-strike capabilities. Both China and the United States would have agreed not to use nuclear weapons unless first attacked with nuclear arms by another country. Therefore, China and the United States would be bound by their pledges not to use nuclear arms, and India and Pakistan would be bound by common sense not to use them beyond the subcontinent. (Such a calculus would also apply to Russia, if it agreed to a no-first-use policy.) No-first-use negotiations should include a discussion of which circumstances might prompt each country to violate its no-first-use policy. Such a conversation should specifically broach the topic of an Indo-Pakistani nuclear exchange, as the subcontinent is the most likely region for a nuclear conflict. In addition, China and the United States might agree to establish a hotline, similar to the one the United States and 38 Bulletin of the Atomic Scientists 68(2) Soviet Union maintained during the Cold War, to discuss how they would deal with the use of a nuclear weapon by another country, including India or Pakistan.

#### NFU get modeled—creates non-proliferation regime

Lawrence J. Korb is a senior fellow at the Center for American Progress, and served as assistant secretary of defense during the Reagan administration from 1981-1985. In that position, he administered 70 percent of the country’s defense budget and Alexander H. Rothman is a special assistant with the national security and international policy team at the Center for American Progress. 2012 No first use: The way to contain nuclear war in South Asia Bulletin of the Atomic Scientists 68(2) 34–42 DOI: 10.1177/0096340212438385

A US decision to declare a no-first-use policy would have benefits that extend far beyond South Asia. Such a policy would dramatically strengthen America’s arms control credentials, giving the US government the moral authority to push for stronger controls on weapons-usable nuclear technology and material. Also, efforts to negotiate a multilateral agreement banning the first use of nuclear weapons would inject life into the global nonproliferation regime. The NPT is based on a compact between the nuclear and non-nuclear states. The non-nuclear states pledged to refrain from developing a nuclear weapons capacity, and in return, the states that already possessed nuclear weapons in 1968Ñthe United States, the United Kingdom, France, China, and Russia agreed to work toward a general and complete disarmament.Ó4 But the United States still owns the largest and most advanced arsenal in the world. To effectively pressure the non-nuclear states to live up to their NPT commitments, it is important that the United States clearly demonstrate its efforts to fulfill its own. Declaring a policy of no-first-use would go far in that direction. Moreover, reassuring other countries that they are safe from a US nuclear attack would reduce pressure for them to acquire a nuclear deterrent. Perhaps more significant, a no-first use agreement that included the world’s major nuclear powers would create an opportunity to bring other nuclear weapons states (India, Pakistan, and Israel) into the global nonproliferation regime. There is no guarantee that any of these three states each of which refused to sign the NPT and developed nuclear weapons in defiance of the international community will adopt a no-first-use policy. But there are reasons to believe India, at least, would be interested.

### Plan

#### The United States Congress should prohibit the first use of nuclear forces without congressional approval.

### 3

#### Requiring congressional authorization is equivalent to a No First Use policy

Richard Ullman Prof of International Relations Princeton 07-72 “NO FIRST USE OF NUCLEAR WEAPONS,” Foreign Affairs, July 1972 vol. 50

An alternative to a fiat "no-first-use" declaration, at least for the United States, might come through congressional legislation stipulating that the President, as Commander in Chief of the armed forces, may not initiate the use of nuclear weapons without receiving prior congressional authorization. Congress now has before it so-called War Powers legislation stipulating that in the absence of a formal declaration of war the President may not engage the armed forces in military operations for more than 30 days without specific congressional authorization. This draft legislation is premised upon the assumption that the "collective judgment" of Congress and the President should apply to the "initiation" and the "continuation" of hostilities. Senator Fulbright, Congressman Dellums, and others (including the Federation of American Scientists, one of the most active lobbying groups in the arms-control area) have pointed out that just as Congress should be concerned to limit the power of the President to sustain hostilities without its approval, so it should also limit his power to escalate them across the threshold from conventional to nuclear weapons. They are seeking to amend the War Powers legislation to that effect." In many respects the effects of this proposed legislation would be similar to those of an orthodox commitment to "no first use." Nuclear threats would be inappropriate. Force deployments might reflect the assumption that the United States would not initiate the use of nuclear weapons. Just as in the case of a "no first-use" commitment, U.S. ability to respond to a nuclear attack, and therefore the efficacy of the U.S. nuclear deterrent, would be undiminished. The granting of congressional authorization, should it take place, would be equivalent to a formal announcement rescinding a prior "no-first-use" commitment, unilateral or multilateral. Such authorization (or the rescinding of a prior "no-first-use" commitment) would, in fact, constitute in itself an important diplomatic instrument. It would convey to an adversary the seriousness with which Washington viewed a threat, and its willingness to risk nuclear war in response. In this respect congressional authorization (or the public rescinding of "no first use") would be akin to the "demonstration use" which figures in some war-fighting scenarios, when one party to a conflict explodes a nuclear weapon in a manner which inflicts no damage but nevertheless conveys resolve.

#### Planning committee is goldilocks – flexibility to use first in unlikely circumstances, ability to signal, but shows restraint

Jeremy J. Stone, president of the Federation of American Scientists, 1984 “Presidential First Use Is Unlawful,” Foreign Policy, No. 56

The proposal for a planning committee has a number of practical advantages as well as constitutional ones. A committee veto represents, in perspective, a natural evolution from the current posture to the no-first-use posture that so many citizens are coming to desire. Rather than move in one giant step from presidential authority for first use to a world in which the entire U.S. political system pledges never again to use nuclear weapons first under any authority, the committee ap- proach spreads the responsibility for first use, making it less likely to occur by putting an additional lock on the trigger. (The committee would have no authority to propose, urge, or insist on the first use of nuclear weapons but only to accede to or oppose presidential rec- ommendations.) This approach substitutes a less controversial issue of "no one first decision maker" for a relatively difficult effort to secure a declara- tion of no first use under any circumstances. Moreover, where the no-first-use declaratory policy of one president can be reversed by a later president or ignored in a crisis, the legal and bureaucratic process created by a commit- tee would be much harder to ignore. Those who want above all to suppress the possibility of U.S. first use of nuclear weapons ought to think carefully about which road is more effective. In spreading the responsibility for Western first use, rather than banning it, the approach of committee oversight avoids rupturing U.S. commitments to NATO. As before, the United States would have the right to use nuclear weapons and the obligation to respond in NATO in accordance with its constitutional responsibilities. America would simply have reconsidered what those processes are and would have adjusted its internal governmental processes accordingly. Washington would not have withdrawn its main weapon from the West's protective arsenal. And since all other NATO countries value highly their rights to be consulted on just such matters, they could hardly complain too heatedly if America's own government consultation were extended to a congressional committee. (Indeed, this approach suggests the desirability of more firmly spreading responsibility for any use involving a given NATO country by giving that country a veto over the first use of nuclear weapons on or from its territory-a right now left rather vague.) Nor does it seem that this approach would undermine deterrence in any significant way. By comparison, the U.S. decision to protect against unauthorized use of nuclear weapons by installing "permissive action links," electronic locks on individual nuclear weapons, probably did far more to allay Soviet fears of an early first use of nuclear weapons than would this method of preventing unauthorized presidential first use. The threat of a timely and even of a surprise first use of nuclear weapons remains because the commit- tee could function in secret. Moreover, an announcement that the committee had given its authorization to the president could repre- sent, like a revolver being drawn from a holster, an optional sign of warning. Such a signal clearly would be preferable to the demonstration firing of a nuclear weapon sometimes discussed as a possible method of showing NATO determination if a convention- al war were to reach a point of no return. Such a firing would create all the dangers of a verbal announcement as well as the danger of being interpreted by the other side as a precursor to a general firing combined with the finality of having jumped the nuclear fire gap. .But the congressional authorization proce- dure would lower the popular perception of the likelihood of U.S. first use of nuclear weapons. One benefit could be more support for the alliance among that younger West European generation that fears America's trig- ger-happiness, thus offsetting to some degree whatever opposition can be expected from allied governments. Yet this proposal's fate should not turn on whether West Europeans approve it; America's obligations to its own security, its own Constitution, and its own judgment on how best to assist in the defense of Western Europe should be the decisive factors. There would be other political advantages. Presidents who do not wish to use nuclear weapons first could find political shelter in their inability to get support from a congressional committee. Recall that President John Kennedy is said to have told his brother Robert that he would be impeached if he did not win the Cuban missile crisis. At least under this system presidents will find it easy to orchestrate a spreading of the responsibility for restraint. Not least important, since the secretary of state would have the responsibility to certify to the secretary of defense that the congressional committee had opted for giving its authority, the specter of aberrant behavior on the part of a psychologically exhausted, politi- cally committed, and deeply involved individual in a drawn-out crisis would be to that extent laid to rest. This possibility was a matter of some concern to lower-level officials immediately before President Richard Nix- on's resignation, even though no military conflict existed. This proposal can also be seen as a long- overdue measure drawing Congress into the decision-making process on nuclear issues. Two decades ago, then Secretary of Defense Robert McNamara saw a similar need to draw NATO into an understanding of nuclear issues and to share responsibility with alliance mem- bers. From this notion came the idea of a nuclear planning group. The committee ap- proach would represent, in a way, a long- overdue analogous development at home. Obviously, conservative opponents of this approach will consider it an outrageous usurpation of presidential power. Perhaps less obvious is the inevitable hostility toward this idea from many on the Left. Arms control advocates who oppose first use of nuclear weapons have in the past considered congres- sional involvement to be an all-too-easy way to authorize and legitimate first use. They inac- curately assume that hawkish members of Congress are all too eager to risk the country's existence. And they often mistake the congres- sional veto approach herein advocated for a system in which Congress gets the right to encourage first use.

# 2AC

### 2AC T

#### Counterinterpretation: USAF is the 4 branches, not just troops, and hostilities means violent actions, any other interpretation is a fiction

Scott Horton lecturer at Columbia Law School, former president of the International League for Human Rights, 11-25-2011 “Up in Smoke,” http://www.foreignpolicy.com/articles/2011/10/25/up\_in\_smoke?page=full

The Obama team also stepped around the War Powers Resolution. It issued brief reports to Congress after hostilities had been commenced, but it did not recognize the resolution as being applicable to the Libya campaign. The Obama view was not, as Republican administrations since Nixon have asserted, that the resolution was an unconstitutional intrusion on presidential prerogatives. Rather, it took aim at the resolution's definition of "hostilities" -- a term consciously adopted to include actions far short of war -- and argued that the operations in Libya could not be viewed as covered. State Department Legal Advisor Harold Koh advanced this view in a hearing before Congress on June 15, the same date on which the Obama team delivered its report on actions in Libya. At this point, U.S. involvement in the Libyan campaign consisted of "occasional strikes by unmanned Predator UAVs," the report argued. The administration was trying to saddle the term "hostilities" with the relatively narrow constitutional sense of the word "war," but Congress plainly opted to use "hostilities" in order to capture a far wider array of military actions. As various scholars have noted, "hostilities" has a well-established meaning in international humanitarian law: "the (collective) resort by the parties to the conflict to means and methods of injuring the enemy." House Speaker John Boehner and Senate Majority Whip Dick Durbin shared the same assessment: The notion that lethal drone strikes are not "hostilities" under the War Powers Resolution "doesn't pass a straight-face test." Obama's engagement with the Constitution and domestic law thus consisted of a rubber-stamp legal opinion from the OLC that made policy assumptions publicly contradicted by senior administration national security spokesmen, and a series of cute word games to deny application of the War Powers Resolution. Congress, moreover, failed to stand up for its prerogatives either by explicitly authorizing the campaign or by challenging it. Congressional leaders were too obsessed with partisan gamesmanship and too indifferent to the fate of their own constitutional powers to do either. The Libya campaign thus turns into another vindication of executive war-making powers, and a demonstration of Congress's institutional lack of gravitas when dealing with minor foreign conflict.

#### Armed forces includes nuclear weapons

Victor Manuel JD at U San Diego Law, has practiced criminal defense, mainly before federal courts. His practice includes representing clients in all areas of criminal law, limited civil litigation, and civil rights violations 2012 “Is the Second Amendment outdated?,” <http://www.victortorreslaw.com/blog/is-the-second-amendment-outdated.html>)

The Second Amendment to the Constitution prevents the government from infringing individual rights to keep and bear arms. As a part of the Bill of Rights, the Second Amendment.is apart of the bulwark of individual rights protections that the Framers felt necessary to include in the Constitution. But where did the right originate and what was its purpose?¶ As with most of our laws, their origin was in England. For many years prior to the American Revolution the English folk were in conflict with the King and Parliament. Part of the conflict was over attempts by the King to disarm his subjects and whether there should be a standing army during peacetime. These were times in which the most lethal weapons were muskets and canon.¶ Times have changed. Today, no one questions the need for the government to maintain a standing army for the common defense, even in peacetime. Today’s modern armed forces include nuclear weapons, cruise missiles and smart bomb technology. In the event that a tyrannical government overcomes the will of the people is it realistic to believe that groups of citizens will be able to use armed revolt with assault weapons and other legally available firearms to successfully defeat the government? The result of such thinking is playing out today in Syria. Fighting in the streets, mass civilian slaughters and untold human suffering.

#### Specifically they’re in the air force

Gale Group 2013 “The U.S. Armed Forces,” <http://ic.galegroup.com/ic/ovic/ReferenceDetailsPage/ReferenceDetailsWindow?zid=4340464f1a188e44d93d0820d3aa2151&action=2&catId=GALE%7CAAA000008432&documentId=GALE%7CPC3010999001&userGroupName=centpenn_itc1&jsid=3eb14c1ea53ebe29fcaddb2652a5e1bc>)

While the overall aim of the U.S. Armed Forces is to protect the United States and its people, each of the service branches has a specific role. The role of the U.S. Army, for example, is to defend and protect the United States as well as its interests through use of ground troops, tactical nuclear weapons, tanks, artillery, and helicopters. As of 31 July 2010, there were 567,167 personnel in the U.S. Army.¶The Air Force defends and protects the United States and any U.S. interests in space and air, often using tanker aircraft, bomber aircraft, transport aircraft, and helicopters. The U.S. Air Force is in charge of the nuclear ballistic missiles and military satellites, as well. As of 31 July 2010, there were 336,031 personnel in the U.S. Air Force.

#### Prefer our definition – construing the phrase narrowly is ahistorical nonsense that kills precision, nuking someone is entering our forces into hostilities

Louis Fisher, Scholar in Residence, The Constitution Project, 6-28-2011 testimony to the Committee on Senate Foreign Relations, “LIBYA AND WAR POWERS,”

The Obama administration has been preoccupied with efforts to interpret words beyond their ordinary and plain meaning. On April 1, the Office of Legal Counsel reasoned that ``a planned military engagement that constitutes a `war` within the meaning of the Declaration of War Clause may require prior congressional authorization.`` But it decided that the existence of ``war`` is satisfied ``only by prolonged and substantial military engagements, typically involving exposure of U.S. military personnel to significant risk over a significant period.``15 Under that analysis, OLC concluded that the operations in Libya did not meet the administration`s definition of ``war.`` If U.S. casualties can be kept low, no matter the extent of physical destruction to another nation and loss of life, war to OLC would not exist within the meaning of the Constitution. If another nation bombed the United States without suffering significant casualties, would we call it war? Obviously we would. When Pearl Harbor was attacked on December 7, 1941, the United States immediately knew it was at war regardless of the extent of military losses by Japan. 4. No ``Hostilities`` Under the WPR In response to a House resolution passed on June 3, the Obama administration on June 15 submitted a report to Congress. A section on legal analysis (p. 25) determined that the word ``hostilities`` in the War Powers Resolution should be interpreted to mean that hostilities do not exist with the U.S. military effort in Libya: ``U.S. operations do not involve sustained fighting or active exchanges of fire with hostile forces, nor do they involve the presence of U.S. ground troops, U.S. casualties or a serious threat thereof, or any significant chance of escalation into a conflict characterized by those factors.`` This interpretation ignores the political context for the War Powers Resolution. Part of the momentum behind passage of the statute concerned the decision by the Nixon administration to bomb Cambodia.16 The massive air campaign did not involve ``sustained fighting or active exchanges of fire with hostile forces,`` the presence of U.S. ground troops, or substantial U.S. casualties. However, it was understood that the bombing constituted hostilities. According to the administration`s June 15 report, if the United States conducted military operations by bombing at 30,000 feet, launching Tomahawk missiles from ships in the Mediterranean, and using armed drones, there would be no ``hostilities`` in Libya under the terms of the War Powers Resolution, provided that U.S. casualties were minimal or nonexistent. Under the administration`s June 15 report, a nation with superior military force could pulverize another country (perhaps with nuclear weapons) and there would be neither hostilities nor war. The administration advised Speaker John Boehner on June 15 that ``the United States supports NATO military operations pursuant to UNSCR 1973 . . . .``17 By its own words, the Obama administration is supporting hostilities. Although OLC in its April 1 memo supported President Obama`s military actions in Libya, despite the lack of statutory authorization, it did not agree that ``hostilities`` (as used in the War Powers Resolution) were absent in Libya. Deprived of OLC support, President Obama turned to White House Counsel Robert Bauer and State Department Legal Adviser Harold Koh for supportive legal analysis.18 It would have been difficult for OLC to credibly offer its legal justification. The April 1 memo defended the ``use of force`` in Libya because President Obama ``could reasonably determine that such use of force was in the national interest.`` OLC also advised that prior congressional approval was not constitutionally required ``to use military force`` in the limited operations under consideration.19 The memo referred to the ``destruction of Libyan military assets.``20 It has been recently reported that the Pentagon is giving extra pay to U.S. troops assisting with military actions in Libya because they are serving in ``imminent danger.`` The Defense Department decided in April to pay an extra $225 a month in ``imminent danger pay`` to service members who fly planes over Libya or serve on ships within 110 nautical miles of its shores. To authorize such pay, the Pentagon must decide that troops in those places are ``subject to the threat of physical harm or imminent danger because of civil insurrection, civil war, terrorism or wartime conditions.``21 Senator Richard Durbin has noted that ``hostilities by remote control are still hostilities.`` The Obama administration chose to kill with armed drones ``what we would otherwise be killing with fighter planes.``22 It is interesting that various administrations, eager to press the limits of presidential power, seem to understand that they may not - legally and politically - use the words ``war`` or ``hostilities.`` Apparently they recognize that using words in their normal sense, particularly as understood by members of Congress, federal judges, and the general public, would acknowledge what the framers believed. Other than repelling sudden attacks and protecting American lives overseas, Presidents may not take the country from a state of peace to a state or war without seeking and obtaining congressional authority. Non-Kinetic Assistance

### 2AC XO

#### Requires investment shifts away from nuclear arsenal which only congress can authorize

Steven Miller, Director, International Security Program; Editor-in-Chief, International Security; Co-Principal Investigator, Project on Managing the Atom, 11-17-2002, “The Utility of Nuclear Weapons and the Strategy of No-First-Use”, http://belfercenter.hks.harvard.edu/publication/10032/utility\_of\_nuclear\_weapons\_and\_the\_strategy\_of\_nofirstuse.html?breadcrumb=%2Fpublication%2Fby\_type%2Fpolicy\_briefings\_testimony\_presentations%3Fpage%3D81

If NFU is to be more than a declaratory policy, then it must be meaningfully reflected in the war planning and force postures of the nuclear powers. Because the possibility of first use inheres in the possession of a nuclear arsenal, it is not easy to create a posture that effectively displays genuine fidelity to the NFU pledge. Because it is easy to proclaim NFU as a declaratory policy, little weight has been given in the past to the NFU pledges made by various nuclear powers. It seems safe to say, for example, that the United States and its NATO allies gave no credence whatsoever to the NFU commitment made by the Soviet Union. What must nuclear-armed states do if they wish to genuinely adopt a strategy of no-first-use? How might they make this a credible and reassuring step? How could they configure their forces so as to reflect a real NFU policy? In the context of anything like present nuclear forces, it is not clear that there is a wholly convincing answer to these questions - or at least, an answer that would be wholly convincing to a suspicious adversary. But an implication of NFU is that the present force postures must be left far behind. Then, as a general matter, the answer must be that a real NFU policy would have to ripple through the entire military posture and preparations of the nuclear-armed state. And the end result would need to be a doctrine that does not rely on first use and a nuclear force posture that has little or no capacity to be used first. War planning. NFU cannot be real if militaries develop war plans that include, or even depend upon, the expectation of first-use of nuclear weapons. It has long been a commonplace to note the gap that often exists in nuclear powers between declaratory policy and operation policy. The Soviet Union's NFU pledge, for example, coexisted with war plans for a European war that called for substantial use of nuclear weapons from the outset of hostilities.25 A genuine strategy of no-first use would need to be reflected in operational war plans. These would have to assume an entirely non-nuclear character and to extirpate all scenarios in which recourse is made to the first use of nuclear weapons. Eradicating the idea that nuclear first use is an option would have enormous implications. It would alter the expectations of politicians and commanders. It would (or should) influence military investment decisions - more conventional capability may be necessary, for example.26 It could affect public articulations of defense policy and military doctrine. In the Soviet period, Moscow's NFU pledge was undermined by a profusion of military writings that emphasized nuclear preemption and warfighting and otherwise were in tension with NFU. But a genuine NFU strategy would need to harmonize doctrinal expositions and political explanations of defense policy with the constraints of the NFU commitment. Changes in public rhetoric alone will not be sufficient to convince the world that a NFU strategy is firmly in place. But they could help send the message that NFU was being taken seriously. NATO presently proclaims at every occasion that nuclear weapons are essential and that nuclear first-use is an integral component of alliance military strategy. If NATO instead were to proclaim that nuclear weapons are irrelevant to most of the alliance's security needs and that it could not envision circumstances in which it would use nuclear weapons first, this would certainly set a very different tone. War planning, of course, is not a public activity, though it has public outcroppings. So though this is a necessary step if NFU is to be real, it must be coupled with other, more visible steps, if others are to be convinced that NFU is more than declaratory policy.

#### Exec promises not credible – past violations

George Bunn, Helped negotiate the nuclear Nonproliferation Treaty and later became U.S. ambassador to the Conference on Disarmament and Jean du Preez, August 2007, “More Than Words: The Value of U.S. Non-Nuclear-Use Promises,” http://www.armscontrol.org/act/2007\_07-08/NonUse

Taking Back the Promises: The Clinton and Bush Legacies Soon after the U.S. representative made the promise of nonuse before the Security Council in 1995, the Department of Defense began urging exceptions to it. Probably as a result of this view, the Clinton administration argued that even under a nonuse commitment in a treaty such as the Latin American nuclear-weapon-free zone treaty, the United States would not be bound to refrain from a nuclear response to a chemical or biological attack from a member of the nuclear-weapon-free zone. President Bill Clinton’s secretary of defense, William Perry, said publicly that “if some nation were to attack the United States with chemical weapons, then they would fear the consequences of a response with any weapon in our inventory…. We could make a devastating response without use of nuclear weapons, but we would not forswear that possibility.“[6] In addition, NATO retained the option to use nuclear weapons first in future conflicts and, like the United States, reaffirmed its right to use nuclear weapons against a chemical or biological attack.[7] Thus, the United States and NATO refused to accept the NSAs as legally binding prohibitions on their use of nuclear weapons against non-nuclear-weapon NPT members. Toward the end of his administration, Clinton approved a modification of the B61-11 nuclear warhead for use as a “bunker buster” to attack biological or chemical weapons stored underground in hostile countries, weapons that U.S. officials believed could threaten the United States and its allies. Potential enemies, including some nonaligned countries, were suspected of digging deep underground bunkers for the purpose of sheltering biological or chemical weapons from enemy attack. The proposed bunker-buster nuclear weapons were intended to destroy these bunkers and what they contained before the biological or chemical weapons could be used in an attack on the United States or its allies. The Bush administration further changed U.S. nuclear weapons-use policy after the terrorist attacks of 2001. The Defense Department’s December 2001 Nuclear Posture Review (NPR), parts of which were made public in early 2002, reasserted the Clinton administration’s desire for earth-penetrating nuclear weapons to destroy biological weapons stored underground by an enemy. This position assumed first use of nuclear weapons in that engagement. In response to questions raised by this provision of the 2001 NPR, a Department of State spokesperson repeated the 1995 NSA that had been given by the United States to help gain votes for the extension of the NPT that year. He added that “the policy says that we will do whatever is necessary to deter the use of weapons of mass destruction against the United States, its allies, and its interests. If a weapon of mass destruction is used against the United States or its allies, we will not rule out any specific type of military response.” In September 2002, President George W. Bush issued a White House National Security Strategy (NSS) that declared that “rogue states and terrorists” were determined to acquire biological and chemical weapons and that the United States might one day need to use nuclear weapons to deal with such an acquisition. The statement seemed to call for the use of U.S. weapons, including nuclear ones, to destroy biological or chemical weapons before either could be used. [W]e must be prepared to stop rogue states and their terrorist clients before they are able to threaten or use weapons of mass destruction against the United States and our allies and friends…. If the legitimacy of preemption [by the United States is to depend] on the existence of an imminent threat, [we] must adapt the concept of legitimate threat to the capabilities and objectives of today’s adversaries [who] rely on acts of terror and, potentially, the use of weapons of mass destruction—weapons that can be easily concealed, delivered covertly, and used without warning…. The greater the threat, the greater the risk of inaction—and the more compelling the case for taking anticipatory action. To forestall such hostile attacks, the United States will, if necessary, act preemptively.[8] Under this strategy, preemptive action by the United States might include the use of nuclear weapons to counter a chemical weapon attack or to destroy a potential enemy’s stocks of biological weapons before they could be used. In the December 2002 “National Strategy to Combat Weapons of Mass Destruction,” the Bush administration added that U.S. counterproliferation forces “must possess the full range of operational capabilities to counter the threat and use of [weapons of mass destruction] by states and terrorists against the United States, our military forces, and friends and allies.”[9] These statements suggest that the United States reserves the right to first use of nuclear weapons to retaliate against attacks using chemical or biological weapons or to destroy enemy chemical or biological weapons stockpiles before they can be used in an attack.[10] Perhaps to implement such a strategy, the administration proposed a new nuclear warhead to Congress, the Robust Nuclear Earth Penetrator (RNEP). It was supposed to be used to attack “hard and deeply buried targets,” such as underground storage sites for biological and chemical weapons. Congress cut out the funds proposed by the Bush administration for the development of RNEP in the appropriations for the Department of Energy for the fiscal years 2005 and 2006. The department did not request such funds for fiscal years 2007 or 2008. The Bush administration in various ways has said that it is not bound to refrain from the use of nuclear weapons against non-nuclear-weapon NPT states-parties who attack with biological or chemical weapons. Indeed, the United States may well have contributed to the failure of the 2005 NPT review conference by refusing even to discuss NSAs there. If the security assurances provided by the United States to non-nuclear-weapon NPT members in 1995 appear to these members to have less value as result of the Bush administration’s statements, will this reduce the motivation of some NPT members to stay within the NPT? The Future of Negative Security Assurances To states without nuclear weapons not allied to states that do have them, a credible promise by the five NPT nuclear-weapon states not to use nuclear weapons against them should have value. Judging by the demands for such assurances from NAM, the largest caucus of NPT non-nuclear-weapon parties, the quest for legally binding NSAs will continue despite opposition from the United States and most of the P-5. At the 2000 NPT review conference, these NAM states together with the New Agenda Coalition (NAC), a smaller coalition of non-nuclear-weapon nations formed in 1998 to advance nuclear disarmament, were successful in extracting a clear acknowledgement by all NPT parties, in particular the P-5, that legally binding NSAs would strengthen the nonproliferation regime. The final document of the 2000 review conference also called on the Preparatory Committee (PrepCom) for the 2005 review conference to make recommendations on this issue. Despite several concrete proposals, including a draft nonuse protocol to the NPT submitted by the NAC, the PrepCom made no such recommendations. Indeed, the final PrepCom in 2004 reported Washington’s perception that the post-September 11, 2001, security environment obviated “any justification for expanding NSAs to encompass global legally binding assurances.” The U.S. delegation reacted to the PrepCom chairman’s summary by stating emphatically, “We did not, do not, and will not agree as stated in the summary that efforts to conclude a universal, unconditional, and legally binding instrument on security assurances to non-nuclear-weapon states should be pursued as a matter of priority.” This message foreshadowed Washington’s position at the 2005 conference, where it asserted that “the very real nuclear threats from NPT violators and non-state actors” eclipses the “relevance of non-use assurances.” An acrimonious debate about security assurances was among the reasons for the failed 2005 NPT review conference. The United States refused even to discuss them seriously at this conference or at its preparatory meetings, saying: [T]he end of the Cold War has further lessened the relevance of non-use assurances from the P-5 to the security of NPT [non-nuclear-weapon states], particularly when measured against the very real nuclear threats from NPT violators and non-state actors.… [L]egally binding assurances sought by the majority of states have no relation to contemporary threats to the NPT.[11] Options for the Next Administration Attempts to negotiate NSAs with the United States under the Bush administration seem impractical, but the next U.S. administration needs to take up the issue in time for the 2010 NPT review conference. As with the 1995 conference, the United States should lead a P-5 initiative prior to the 2010 conference to reaffirm political pledges not to use or threaten to use nuclear weapons against non-nuclear-weapon states. To build confidence in its nuclear intentions, it should allow the conference to establish a mechanism to consider ways to provide legally binding NSAs. In this regard, a new administration could consider several options. One option would be approval of another UN Security Council resolution going beyond the one adopted prior to the 1995 conference. Such a resolution of security assurances to NPT non-nuclear-weapon parties in full compliance with their obligations could include two key components. It could recognize that legally binding security assurances to non-nuclear-weapon NPT members in full compliance with their nonproliferation obligations would strengthen the nuclear nonproliferation regime and that the Security Council should consider taking action against any nation threatening to use nuclear weapons against a non-nuclear-weapon NPT member. Although the first of these two parts would go a long way to address the concerns of many states that the United States and the other nuclear-weapon NPT members have weakened their NSA promises, the second statement would address the security of non-nuclear-weapon NPT members not aligned with any of the P-5. In light of the Bush administration’s insistence that the 1995 U.S. assurances, offered essentially to gain support for the indefinite extension of the NPT and recognized by the Security Council, are not legally binding on the United States, and that these assurances do not preclude the United States from preemptory attacks upon underground hiding places for biological or chemical weapons, the solemn declarations made by the United States and other P-5 members are now regarded as of little value by these non-nuclear-weapon NPT members. Unless a post-2008 U.S. administration wins back the confidence of these nonaligned states that U.S nuclear policies are not aimed at them, any approach through the Security Council would be unappealing.

#### Counterplan links to politics – Obama action is the kiss of death for nuclear policy – only the plan depoliticizes the debate

Kingston Reif, Director of Nuclear Non-Proliferation at the Center for Arms Control and Non-Proliferation, 7-3-2013, “Sen. Sessions Gives Away the Game on Nuclear Reductions” Nukes of Hazard, http://www.nukesofhazardblog.com/story/2013/7/3/122027/6662

In his June 19 speech in Berlin, President Obama proposed to reduce US deployed strategic nuclear warheads with Russia by up to one-third below the New START level of 1,550 warheads. Predictably, this drove the President’s critics crazy. In a well-coordinated series of press statements and op-eds in response to the speech, Republican members of Congress, former Bush administration officials, and the ICBM pork caucus trotted out the standard-issue talking points against changing our outdated nuclear strategy. But in a fit of candor, Sen. Sessions strayed wildly off-message and revealed the pure, unadulterated partisanship animating his party’s attitude on nuclear weapons issues. The day after the President’s speech, Sessions told a gathering on Capitol Hill that: If George Bush said I think we could get to 1000, 1100 nuclear weapons and I believe we can still defend America, that’s one thing. In other words, reductions implemented by Republican Presidents are fine and dandy, but reductions implemented by Democrats are a threat to life, liberty and the pursuit of happiness. Sen. Sessions attempted to cover his tracks by arguing that Obama’s proposed reductions are dangerous because of the President’s support of the goal of a world free of nuclear weapons. But this protestation rings hollow given that President Ronald Reagan, the patron saint of Republican defense hawks, argued vehemently decades before for nuclear zero while the Cold War still raged. While the GOP lambastes Obama for being open to a further incremental reduction in deployed forces with Russia, the truth is that since the end of the Cold War, Republicans Presidents have repeatedly slashed the size of the US nuclear arsenal, including significant reductions without reciprocity from any other nation. And as Sessions suggests, Republicans didn’t complain.

#### Public discussion requires congressional involvement – key to effective policy

Daniel Zins, professor at Atlanta College, 1991, “Waging Nuclear War Rationally” in “The Nightmare Considered: Critical Essays on Nuclear War Literature”

What Wilmer and Berent fail to consider is that perhaps preparing for nuclear war is itself the supreme danger, ineluctably fostering the illusion that the controlled use of ‘weapons” of such inconceivable destructive power is possible. Again, there is a vast disparity between declaratory and actual polices. Discussing the 1982 Defense Guidance Statement and its concept of ‘prevailing” in a protracted nuclear war, Robert W. Tucker points out that the document did not really break new ground, its principal points adding up to little more than a refinement of the Carter Administrations 1980 Presidential Directive 39, which in turn built on strategic concepts that may be traced back a generation. From Kennedy to Reagan, no administration has been able to disavow the prospect, however skeptically it may have viewed that prospect, of the controlled use of nuclear weapons. Equally, no administration has been able to disavow the prospect of emerging from a nuclear conflict with some kind of meaningful victory. Unable to disavow these prospects, no administration has been able to disavow the force structure that might make possible fighting a limited nuclear war. (9) And maintaining the force structure, in turn, helps to maintain the illusion that nothing fundamental has changed in the nuclear age. This lack of frank public debate about our detailed warfighting plans has engendered enormous confusion, and not only on the part of ordinary citizens. Accentuating that even members of Congress seem not to know what their nation’s actual nuclear war policies are, Jeremy Stone reminds us that When Secretary of Defense James Schlesinger threatened nuclear first use in Korea, more than one hundred members of the House of Representatives co-signed a no-first use resolution of Congressman Richard Ottinger. Within a few days, when the administration explained to them that we had been threatening first use for years in Europe and that it was indeed a mainstay of our policy, most of these members of Congress withdrew their names from the resolution. They did not know the policy because the United States had never been eager to emphasize in public what was well known to all students of the subject. (OHeffernan 126) Even today, most Americans still seem not to know that U.S. policies call for possible first use in Europe. What we have seen throughout the nuclear age, then, is a failure of policymakers (‘the nuclear priesthood”), the mass media, educators, and others to adequately inform the American public about profoundly important national security issues which, at least in some ways, do affect all of us. Most citizens, of course, in their apathy, silence and deferential obeisance to the “experts,” have colluded in their own exclusion from the debate. What is particularly ironic is that American elites, apparently lacking sufficient confidence in the judgment of their own citizenry to communicate these issues to them, ostensibly believe that nuclear missiles themselves can, during an actual nuclear war, effectively communicate with an adversary! “Limited war in the nuclear age,” writes Desmond Ball, not so much concerned with military objectives as with being a means of communication, but nuclear weapons may not be very useful media. They are not suited to signaling any precise and unambiguous message but, on the contrary, are supremely capable of degrading the whole environment of communications” (30). That the arguments of strategists who continue to act as if nuclear warfighting could possibly be a sane policy have not been much more summarily dismissed from national security debates might be in no small measure due to the fact that “the whole environment of communications,” or virtually the entire realm of private and public discourse on nuclear issues, has been thoroughly debased since Hiroshima. There is still too little evidence of the “new thinking” called for by Einstein and others.

#### High risk of rollback

John Rhinelander, senior counsel and legal adviser to the U.S. Strategic Arms Limitation Delegation and taught at both Virginia Law School and Georgetown University, 11-17-2002, “No First Use of Nuclear Weapons” Pugwash Conferences on Science and World Affairs, http://www.pugwash.org/reports/nw/rhinelander.htm

NFU, to be meaningful over the long-term, should not simply be a rhetorical posture unrelated to capabilities as was the Geneva Protocol.7 Further, in the US it should not simply be a Presidential declaration changeable by his successor. Therefore, the third step should be a legally binding treaty that would become the law of the land in the US. Achievement of (1) through (5) above would set the state for negotiations of a NFU treaty that had a realistic chance to enter into force with the US a party.

#### Legal restrictions and perception key for non-proliferation efforts

Linton Brooks, former US Ambassador and former Under Secretary of Energy for Nuclear Security and Administrator of the National Nuclear Security Administration, April 2013, “The Elements of a Possible Political Agreement to Maintain a Safe, Secure, Reliable, and Effective Nuclear Deterrent” CSIS, http://csis.org/files/publication/130422\_Spies\_ForgingConsensus\_Web.pdf

Sustaining the political agreement hypothesized in this paper requires that the United States be perceived domestically as committed to sustaining a robust international legal regime of arms control and nonproliferation. As a practical matter, this means some form of continued arms control with the Russian Federation as well as visible U.S. support for the international legal regime associated with the Nuclear Nonproliferation Treaty and the International Atomic Energy Agency. Voluntary arrangements such as those associated with the 2010 and 2012 Nuclear Security Summits, the Proliferation Security Initiative, the Global Initiative to Combat Nuclear Terrorism, and similar efforts are important and desirable, but will not substitute for supporting a formal international legal regime in terms of maintaining a domestic political agreement.

### 2AC Tix

#### Won’t pass in either congress or in the IMF itself, even if it did won’t help – might even boost Russia and the conflict itself is a thumper

Simon Johnson, Former IMF Chief Economist, 3-21-2014, “Former IMF chief economist Simon Johnson on why loans won’t help Ukraine”, http://www.pbs.org/newshour/making-sense/former-imf-chief-economist-simon-johnson-loans-wont-help-ukraine/

Last week, the Senate Foreign Relations Committee approved an aid package for Ukraine that includes reforms to the International Monetary Fund — through which much of the loaned money to Ukraine would flow. But the House Foreign Affairs Committee has introduced legislation for an aid package without IMF reforms — reforms that would give emerging economies greater representation in the organization. Congress is on recess this week, leaving the issue hanging as Russia annexes Crimea. The Senate’s Ukraine aid package will be sent to the full Senate for a vote next week. In the meantime, Making Sen$e thought our readers would want to know more about the pending IMF reforms and loans to Ukraine — and how they’re related, so we called up former IMF chief economist Simon Johnson. Johnson, of the MIT Sloan School of Management and the Peterson Institute of Economics, has been a regular Making Sen$e guest, talking to us about U.S. debt in 2012. And his blog, The Baseline Scenario, which he co-founded with James Kwak, is part of our economics diet. Announcing additional sanctions on Russian officials Thursday, President Barack Obama urged Congress to pass aid legislation for Ukraine, saying “expressions of support are not enough.” In the edited and condensed conversation below, Johnson explains why IMF loans to Ukraine may not be enough either. –Simone Pathe, Making Sen$e Editor What reforms to the IMF is the White House pushing Congress to include in aid legislation to Ukraine? The IMF reform package that has been submitted to Congress involved an increase in quotas and some other changes in representation. What are these quotas? The quota, in this context, is an idiosyncratic name for the shareholder stake of a country. Every country “buys” shares in the IMF. And then they can borrow based on how much they put in. It’s a little bit like a co-op. Access to credit from the IMF is based on size of potential commitment to the IMF, which is based on the size of your country. The U.S. and others want the IMF to be able to do more lending. Under the reforms, the IMF lending capacity would be bigger and borrowing amount — based on the relative size of countries — will go up along with the increase in quotas. The way that the increase in the United States would take place is by shifting some of our commitment that’s in the form of credit provided to the IMF to become quota (i.e., our shareholder stake). So there are some doubts; people are asking, is there risk involved to the U.S.? It’s not really a partisan issue though. Republicans want there to be an IMF and want it to be able to operate. Most people want there to be IMF reforms and a reduction of influence of European countries, which is basically a hold-over of the 1940s and 1950s. It’s harder to strengthen the legitimacy of the IMF without allowing emerging economies more influence. Johnson recommends this primer from the Peterson Institute on why IMF reforms are important for the United States and how the U.S. is standing in their way. But the House Foreign Affairs Committee has introduced legislation for an aid package without IMF reforms. Yes, the IMF reforms are being held up by House Republicans, but the question is whether this is a matter of principle or a tactical move since they’re trying to tie it to other things they want. There’s not a big disagreement on the substance of those reforms. The key difference between the U.S. and any other country [approving the reforms] is that the U.S. has to get the reforms passed through Congress for them to become law. We are the hold up now. The quota increase only goes through when 85 percent [of IMF shareholders] agree, and the United States is the only country that has veto power because we have such a big stake. So how would these reforms affect a loan package to Ukraine? Any loan package with these reforms would increase the maximum amount that Ukraine can borrow. But I should say, I’m not in favor of Ukraine borrowing a very large amount from the IMF. (To be clear, I’m in favor of the IMF reform package, but I wouldn’t link it so closely to Ukraine.) If you think the cap on the amount Ukraine can borrow is the issue, then it’s appealing to have these reforms. But the notion of the cap is somewhat flexible. Other countries have received lots of money relative to their size. Yes, you can argue Ukraine needs money, but what they really need is reform. They need to change the nature of their economy and completely stamp out corruption. The IMF has been lending to Ukraine over the past 20 years, and that hasn’t helped reduce corruption. Is that because the money gets funneled to the wrong people? No, the IMF watches carefully what happens to the money. The loans are just supporting people in power who are fairly corrupt individuals. They have not wanted to open up their economy and make it easier for people without money to start businesses. The IMF previously pledged $15 billion to Ukraine, but it wasn’t disbursed because Ukraine didn’t comply with the IMF’s “prior actions.” What happened? “Prior actions” is IMF terminology that means you do things before you see the money. Most IMF conditionality is on the basis that “I give you money and you do things.” The prior action means that you do reforms then you get money. So Ukraine did enact pension reforms as a prior action, and the IMF gave them good marks. But they didn’t do much else, and subsequently the IMF has said they wouldn’t lend again without substantial prior actions. What conditions would apply to aid this time? That’s the big question. My assessment would be that the IMF would want substantial prior actions reducing corruption and bringing Ukraine’s budget deficit down through raising energy prices domestically. But, at the same time, the IMF is also under pressure from western governments to get loans out quickly and show support for Ukraine. Is Ukraine more likely to comply this time? They’ll make lots of promises; the question is what will they implement? There is fuzziness around prior actions; some things are harder and some are easier to do. Ukraine already owes the IMF money and Russia even more (see my Economix article for details). Now, they’re going to have to restructure their debt — stretch it out. That means you don’t reduce the amount that I owe; rather you’re pushing back when I’m going to pay you. The IMF has to be involved, but they need to get the Russians on board too. The quota reforms are a good idea because you need additional resources for the IMF in general. But I don’t like the linking of the two because that implies that all Ukraine needs is more money. Sen. Rand Paul, R-Ky., opposes giving aid to Ukraine because he says it would indirectly benefit Russia. Is this a valid concern? It depends on how the existing debt is handled. Stretching it out should apply to Russian debt too. There could be a scenario where the IMF money is used to pay off Russia, but that would not solve any of Ukraine’s problems. So it’s not wrong to raise this issue, but the IMF would surely not lend unless Russia were willing to stretch out its debt.

#### Obama’s losing on CIA interrogation reports – future demands tanks capital

Alexander Bolton, political analyst, 3-11-2014, “CIA fallout reaches Obama,” The Hill, http://thehill.com/homenews/senate/200524-obama-will-have-to-deal-with-the-fallout

President Obama is caught in the middle of an increasingly bitter feud between the Central Intelligence Agency and Democratic allies on Capitol Hill.¶ Sen. Dianne Feinstein’s (D-Calif.) stunning accusation that the CIA spied on her panel plunged the president into a controversy over the separation of powers that threatens to become a major headache for his administration.¶ The White House did its best to steer clear of the storm on Tuesday, but Obama could soon be forced to take sides.¶ Democrats are pushing to release their investigation into interrogation techniques used during the George W. Bush administration and have been fighting for months with the CIA over declassifying its contents.¶ Obama backs releasing the interrogation report but has made clear he wants to move past the controversy over the Bush-era interrogations.¶ Now Senate Democrats are demanding that Brennan apologize for what Feinstein alleges is the obstruction and intimidation of her committee’s work. Brennan on Tuesday rejected Feinstein’s allegations as false.¶ Senate Majority Leader Harry Reid (D-Nev.) and Senate Judiciary Committee Chairman Patrick Leahy (Vt.), the Senate’s most senior Democrat, both backed Feinstein on Tuesday.¶ Asked if Brennan should apologize, Reid said, “I support Dianne Feinstein, and the answer is yes.”¶ Attorney General Eric Holder must decide how to handle conflicting complaints from Feinstein and the CIA.¶ Feinstein on Tuesday charged the agency may have violated the Fourth Amendment, the Computer Fraud and Abuse Act and an executive order prohibiting domestic searches and surveillance by searching computers that contained records of the committee’s internal deliberations.¶ The CIA’s acting general counsel has filed a countervailing report with the Justice Department accusing Intelligence Committee staff of removing a classified document from the agency without permission. Feinstein cited the general counsel’s complaint in her floor speech.¶ If Obama sides with Feinstein, Republicans could accuse him of undermining the intelligence community.¶ Republican senators, with the notable exception of Sen. John McCain (R-Ariz.) and his ally, Sen. Lindsey Graham (R-S.C.), declined to support Feinstein in her battle with the CIA. ¶ Adding to the tension, only one Republican on the Intelligence Committee — former Sen. Olympia Snowe (Maine) — endorsed the findings of the interrogation report, which Democrats say will reveal that the CIA’s techniques were ineffective and far harsher than previously known.¶ “We have some disagreements as to what the actual facts are,” said Sen. Saxby Chambliss (Ga.), the ranking Republican on the Select Committee on Intelligence.¶ Chambliss said “improving the relationship” between his committee and the CIA “is not going to happen if we throw rocks at each other.”¶ Sen. Richard Burr (N.C.), the second-most senior Republican on the panel, said, “I personally don’t believe anything that goes on in the Intelligence Committee should ever be discussed publicly.”¶ But there is growing sentiment among Democrats that Obama needs to rein in his intelligence agencies.¶ “To me this goes precisely to the question of whether Congress can effectively oversee the modern intelligence apparatus,” said Sen. Ron Wyden (D-Ore.), a senior member of the Intelligence panel.¶ Wyden noted that a CIA official acknowledged at a recent public hearing that the agency was subject to the Computer Fraud Act.¶ “We’ve got to be able to independently do oversight and find the facts and, as Sen. Feinstein laid out this morning, this raises a very troubling set of questions with respect to separation of powers,” he said. ¶ Adding to the pressure, groups on the left are demanding Obama step in and ensure that the interrogation report is released.¶ “After so many years of Congress being unable or unwilling to assert its authority over the CIA, Sen. Feinstein today began to reclaim the authority of Congress as a check on the executive branch,” said Christopher Anders, senior legislative counsel with the American Civil Liberties Union.

#### PC theory isn’t true – newest polisci

Ryan Lizza, The New Yorker's Washington correspondent, 1-30-2014, “Obama Breaks Up with Congress,” http://www.newyorker.com/online/blogs/comment/2014/01/the-state-of-the-union-or-obama-breaks-up-with-congress.html

Several generations of political leaders and journalists have been taught to believe that, in the words of the political scientist Richard Neustadt, “Presidential power is the power to persuade.” Presidents always come into office believing that, with bargaining, cajoling, and pure reason, they can bring members of Congress around to the idea that passing the White House’s agenda is in their interest. Obama believed this in his bones; his 2008 campaign was premised on it. But modern political scientists have abandoned some of Neustadt’s core claims. They’ve settled on a far less exciting analysis, which casts the President as a more passive victim of circumstance who can do little to move Congress unless he already has a majority of votes. Instead of emphasizing the potential of great Presidential leadership and heroic abilities of persuasion, this more structural view emphasizes the limits of a system in which Congress and the President—despite the way it looked on TV on Tuesday night—are co-equal branches of government. Congress contains land mines that the White House has almost no ability to defuse: the extreme polarization of the House, based on a geographic sorting of the public; the rural-state tilt in the Senate that gives Republicans an advantage; the filibuster, and more. It has taken Obama years to transform from a Neustadtian into a structuralist, but Tuesday night marked the completion of the cycle. That metamorphosis has forced the White House to think hard about how Obama can effect change on his own, and it’s one reason that the President recently asked John Podesta to come aboard. (Podesta, who has long advised the White House to use more executive authority, watched the speech with other top Obama aides from the back of the chamber. He seemed pleased.) It’s prudent to be skeptical when listening to the White House’s new claims about what it can accomplish without Congress. After all, if Presidents could solve America’s biggest problems on their own, they would. But every modern President pushes the boundaries of executive authority, and Obama laid out some creative ideas last night that are not just token reforms. For instance, his climate-change policies—which rely on E.P.A. regulations—can be implemented with no input whatsoever from Congress, though of course Congress can try to undo them. Obama also hinted that he may use his pen to preserve more wilderness and other sensitive lands, an environmental tool that Bill Clinton often used, but which Obama has not. His push to encourage businesses and states to raise the minimum wage and his own executive order to raise the minimum wage for future federal contractors are not trivial. He has wide latitude to reform the practices of the N.S.A. But many of the other actions that he outlined will have limited impact. The White House can’t implement gun control by fiat, and it can’t fix the tax code or repair the immigration system on its own. Obama’s new realism is necessary and appropriate, but at some point this year he will need to rekindle his relationship with Congress.

#### Bipartisan support for no first use

Robert Dodge, Co-Chairman of Citizens for Peaceful Resolutions, 8-8-2009, “COMMENTARY: Hiroshima and Nagasaki Remembered... and a Prescription for Peace,” Huntington News, http://www.huntingtonnews.net/columns/090808-dodge-columnspeacevoice.html

We are presently at a crossroads in the nuclear age. Events over the past two years have intensified the efforts to acknowledge the will of the people and begin the difficult work to eliminate global nuclear arsenals. International and bi-partisan calls for this process are increasing daily. In January 2007 the “Gang of Four”—former US Senator Sam Nunn, President Clinton’s Secretary of Defense, William Perry, President Reagan’s Secretary of State, George P. Shultz, and President Nixon’s Secretary of State, Henry Kissinger—called on the U.S. to take the international leadership role to eliminate nuclear weapons. The International Mayors for Peace with their 2020 Vision Campaign to eliminate nuclear weapons by the year 2020 and the Global Zero Campaign of international leaders headed by Queen Noor all add dramatic energy to this process. These efforts culminated April 5th in Prague when President Obama articulated “America’s commitment to seek the peace and security of a world without nuclear weapons.” Subsequently President Obama has engaged Russian President Dmitri Medvedev in groundbreaking efforts—laying a bold agenda to turn the goal of a world free of nuclear weapons into a reality. While the work will not be easy, the dangers of not pursuing this goal are far greater. As we continue these efforts, there are many steps to be taken. These include: \* Negotiate a strong, meaningful treaty with Russia to replace the Strategic Arms Reduction Treaty (START), which expires in December ‘09, and send it to the Senate for ratification. \* Encourage Senate ratification of the Comprehensive Test Ban Treaty, which bans all nuclear explosions worldwide. Declare a "No First Use" policy, pledging not to use nuclear weapons first under any circumstances.

#### Obama won’t waste PC on war powers fights – empirics

William Howell, Professor of Political Science at the University of Chicago, and Jon C. Pevehouse, Professor of Political Science at the University of Wisconsin – Madison, 2007, “While Dangers Gather: Congressional Checks on Presidential War Powers”

After all, when presidents anticipate congressional resistance they will not be able to overcome, they often abandon the sword as their primary tool of diplomacy. More generally, when the White House knows that Congress will strike down key provisions of a policy initiative, it usually backs off. President Bush himself has relented, to varying degrees, during the struggle to create the Department of Homeland Security and during conflicts over the design of military tribunals and the prosecution of U.S. citizens as enemy combatants. Indeed, by most accounts, the administration recently forced the resignation of the chairman of the Joint Chiefs of Staff, General Peter Pace, so as to avoid a clash with Congress over his reappointment.

#### Obama’s got not PC and he’s the kiss of death

Rich Galen, press secretary to Dan Quayle and Newt Gingrich, 3-17-2014, “Obama Is Poisonous,” RCP, http://www.realclearpolitics.com/articles/2014/03/17/obama\_is\_poisonous\_121954.html

I promise I will not spend the next 232 days - between now and election day - writing about how the mid-terms are going to turn out. You know my record for prognostication. It's dreadful.¶ Nevertheless, here is what I Tweeted yesterday afternoon:¶ @richgalen Gallup Obama Approval 3-day track = 39-55. One year ago was 50-43. Reason enough for Dems to worry. http://bit.ly/6v3JWW¶ There is not much statistical difference between an approval rating of 42 and 39 (and it is likely to bounce within that range) but, the psychology of one being in the 40s and the other in the 30s is huge.¶ There is a reason cars are priced at $25,999 and not $26,001.¶ Going from a +7 (50-43) to a -16 (39-55) may be a numerical swing of 23 points, but it is a political swing of biblical proportions.¶ On Sunday the number, indeed, crawled back to 40-54.¶ We know that President Obama doesn't have much use for the U.S. Congress. He wasn't there very long, and while he was he didn't do much, and didn't make many friends.¶ But, he got to be President of the United States and none of the 535 members of the House or Senate can say that.¶ President Obama has used up his political capital. The cupboard is bare. His disdain for the Article I branch is exceeded only by his dislike of the Article III branch. While people thought he was at least trying to do the right thing they gave him the benefit of the doubt.¶ But that benefit - like many health care benefits - have disappeared.¶ The business in Ukraine is, if only because of newness and rawness of the vote in Crimea yesterday, an excellent example of why the country has lost faith in the Obama Presidency.¶ The Russians reported last night that, with about 50 percent of the ballots the Crimean referendum counted, 95.5 percent were in favor of leaving Ukraine and joining Russia.¶ Are we going to war over Crimea? No. Nor, over any other provinces of Ukraine that Russia might move into. America is more isolationist than any time since the period between World Wars I and II.¶ Having Secretary of State John Kerry in hours-long conversations with his Russian counterpart only to have the Russian say afterwards that there was "no common vision" is not a show of strength.¶ I don't know how much Russian President Vladimir Putin was emboldened by President Obama's indecisiveness on Syria (remember the red line?) but it doesn't appear to have made him stroke his chin and wonder if he could risk annexing Crimea.¶ On Obamacare, CNN released a poll last week showing that approval for the President's signature program was at 39 in favor and 57 opposed. That's not the bad news.¶ The bad news is that is an improvement over the 35-62 that opposed the plan in December.¶ Democrats running for the House or Senate are studying these numbers like a race track tout studying the Racing Form.¶ The New York Times' Jonathan Martin and Ashley Parker published a piece over the weekend in which they wrote: "One Democratic lawmaker, who asked not to be identified, said Mr. Obama was becoming 'poisonous' to the party's candidates."¶ Don't roll your eyes and curse my name. I didn't write this, I am merely repeating the words of a "Democratic lawmaker."¶ But, neither will I argue the point.¶ Yesterday, on "Meet the Press," former Obama Press Secretary Robert Gibbs said "There's real, real danger that the Democrats could suffer big losses" in the mid-term elections.¶ When host David Gregory asked if the Democrat's control of the U.S. Senate was in danger, Gibbs said "Definitely, absolutely."¶ This wasn't Karl Rove saying the Senate was likely to flip. This was Robert Gibbs.¶ About the only thing the President is not being blamed for is the disappearance of that Malaysian airliner.¶ The rest, is political poison.

#### No Dem unity – PC can’t persuade Dems and Obama can’t use it effectively

Burgess Everett, writer at Politico, 2-2-2014, “Senate Democrats break from Obama,” dyn.politico.com/printstory.cfm?uuid=1BC854A8-79FC-43EE-BA31-4380D15841E4

President Barack Obama is counting on Senate Democrats to help approve his legislative agenda during his final years in office. And though they are his staunchest allies on most economic issues, many Democratic senators are breaking with him on key issues in very public ways. From trade to Iran sanctions, the Keystone XL pipeline, Obamacare, the National Security Agency and energy policy, Senate Democrats seem unusually comfortable criticizing the president, with only minimal concerns about repercussions from the White House. Even Obama’s steadfast ally, Senate Majority Leader Harry Reid of Nevada, didn’t mince words last week when he rejected a bill to fast-track trade deals that is strongly backed by the White House, working against Senate Finance Committee Chairman Max Baucus of Montana, a Senate colleague who has been tapped to be the president’s ambassador to China. Even some Republicans are noticing. “You had two or three Democrats in the Senate who made statements after the president’s State of the Union speech that wouldn’t have been written any different if they had been written by the [National] Republican Senatorial Committee,” said Sen. Roy Blunt (R-Mo.), referring to the Senate GOP campaign arm’s aggressive anti-Obama messaging. Blunt was referring to discontented Democrats like Sen. Joe Manchin of West Virginia, who insists that Obama misspoke during his State of the Union speech when he told Congress that he will work with lawmakers when he can — and go around them if he can’t. “I don’t think that’s what he meant. I swear to God I don’t,” Manchin said in an interview. “Could he have picked these words better? I would have thought he could have, I would have hoped he would have. But it came out offensive to a lot of people.” For some lawmakers, the criticism is predictable: Democrats from energy-producing states are likely to whack the administration’s energy policies and red-state Democrats up for reelection in 2014 are worried about Obamacare fallout. In some instances, the contrasts between vulnerable Senate Democrats and the White House appear to be orchestrated to counter Obama’s low approval rates in red states where incumbents will face voters this fall, congressional aides in both parties suggest. But not all the criticism is coming from expected quarters. Liberal Democrats have decried NSA surveillance programs, and Democrats not up for reelection for years seem perfectly at ease clashing with the White House. “I think the framers did an incredible job of finding the right balance, so, we’ve gotten away from that. And when we get back to that, my outspokenness will diminish,” said freshman Sen. Martin Heinrich (D-N.M.), a persistent critic of the White House on NSA policy. The rifts might represent nothing more than bad message coordination and a White House that doesn’t do enough to keep Capitol Hill in the loop. President Barack Obama does not have terribly close personal relationships with most Democratic lawmakers, and his legislative affairs shop was riddled with Capitol Hill criticism until the recent addition of longtime Hill staffer Katie Beirne Fallon. “This White House has been very, how shall I say, it’s not their strong suit to give anybody a heads-up on anything,” said Sen. Mary Landrieu (D-La.) of Obama’s outreach to Democratic senators. Landrieu — who is up for reelection this year — was angered recently by a surprise Statement of Administration Policy ripping her flood insurance bill, which would ease rate increases that would disproportionately hit flood-prone Louisiana. Obama’s aides indicated the bill is not sound fiscal policy, though they notably did not threaten a veto of her bill. “I believe in many of the principles of the Democratic Party. But I stay focused on the issues that are important to Louisiana. And when the president is for Louisiana, I’m for the president. When he’s not, I’m not,” Landrieu said. “That statement from them was unsolicited, it was unexpected and it was misguided.” The Senate-White House fractures don’t yet extend to the key 2014 issues of income inequality and the economy. Democrats and the White House are united on raising the minimum wage, extending expired unemployment benefits and lifting the debt ceiling, items their party hopes to make bedrock issues during a campaign year. But beneath the surface of party unity, Democratic critics appear not to think twice before criticizing Obama nearly everywhere else he turns.

#### ( ) No wars from econ collapse.

Morris Miller, Winter 2000, Interdisciplinary Science Reviews, “Poverty as a cause of wars?” V. 25, Iss. 4, p pq

The question may be reformulated. Do wars spring from a popular reaction to a sudden economic crisis that exacerbates poverty and growing disparities in wealth and incomes? Perhaps one could argue, as some scholars do, that it is some dramatic event or sequence of such events leading to the exacerbation of poverty that, in turn, leads to this deplorable denouement. This exogenous factor might act as a catalyst for a violent reaction on the part of the people or on the part of the political leadership who would then possibly be tempted to seek a diversion by finding or, if need be, fabricating an enemy and setting in train the process leading to war. According to a study undertaken by Minxin Pei and Ariel Adesnik of the Carnegie Endowment for International Peace, there would not appear to be any merit in this hypothesis. After studying ninety-three episodes of economic crisis in twenty-two countries in Latin America and Asia in the years since the Second World War they concluded that:19 Much of the conventional wisdom about the political impact of economic crises may be wrong ... The severity of economic crisis - as measured in terms of inflation and negative growth - bore no relationship to the collapse of regimes ... (or, in democratic states, rarely) to an outbreak of violence ... In the cases of dictatorships and semidemocracies, the ruling elites responded to crises by increasing repression (thereby using one form of violence to abort another).

#### The global economy is resilient – global economic institutions check collapse

Daniel W. Drezner, Professor of International Politics at the Fletcher School of Law and Diplomacy at Tufts University, October 2012, “The Irony of Global Economic Governance: The System Worked” http://www.cfr.org/international-organizations/irony-global-economic-governance-system-worked/p29101

The 2008 financial crisis posed the biggest challenge to the global economy since the Great Depression and provided a severe "stress test" for global economic governance. States rely on a bevy of institutions—the International Monetary Fund, World Trade Organization, and the Group of Twenty—to coordinate action on the global scale. Since the Great Recession began, there has been no shortage of scorn for the state of global economic governance among pundits and scholars. However, in this International Institutions and Global Governance program Working Paper, Daniel Drezner concludes that, despite initial shocks that were more severe than the 1929 financial crisis, the evidence suggests that these structures responded to the financial crisis robustly. Global trade and investment levels have recovered from the plunge that occurred in late 2008. Existing global governance structures, particularly in finance, have revamped themselves to accommodate shifts in the distribution of power. The World Economic Forum's survey of global experts shows rising confidence in global governance and global cooperation. In short, international financial institutions passed the stress test.

### 2AC Flex

#### Threat credibility is already low – we’ve entered “Lox America” – Syria and Ukraine prove

David Rothkopf, CEO and editor of Foreign Policy, 3-3-2014, “A World Without Consequences,” http://www.foreignpolicy.com/articles/2014/03/03/a\_world\_without\_consequences\_putin\_crimea\_obama

But, even while acknowledging all that, we can be relatively certain that one of the reasons that Putin has taken the action he has -- why he has felt free to order troops into Crimea and indeed why he has felt so free to meddle in the affairs of Ukraine since the beginning of the current crisis -- is because he has felt there would be no consequences -- at least none serious enough to dissuade him. This is the message that America's recent foreign-policy actions -- or rather its relative inaction and fecklessness -- from Syria to the Central Africa Republic, from Egypt to Anbar province, from the East China Sea to the Black Sea, have helped to send. We have gone from Pax Americana to Lox Americana. Our policy time and time again has effectively been to just lie there like a fish. The world knows this now. They saw Obama hesitate to act in Syria years ago when his advisors were calling for it and he could have made a difference. They saw him blink when Syria crossed the red line he had drawn not once but 12 times. They saw him blink again when he almost took the most limited of military actions against Bashar al-Assad's regime, his team supported it, the ships were in place, and he punted. They have even seen, thanks to recent reporting by David Sanger at the New York Times, that when the NSA gave him cyber-options to use against the Syrians -- the lightest and theoretically most risk-free of all light-footprint options -- he refused to act.

#### NFU maintains operational flexibility and increases geopolitical stability

Lawrence J. Korb is a senior fellow at the Center for American Progress, and served as assistant secretary of defense during the Reagan administration from 1981-1985. In that position, he administered 70 percent of the country’s defense budget and Alexander H. Rothman is a special assistant with the national security and international policy team at the Center for American Progress. 2012 No first use: The way to contain nuclear war in South Asia Bulletin of the Atomic Scientists 68(2) 34–42 DOI: 10.1177/0096340212438385

Because nuclear weapons essentially have no strategic utility for the United States, formally pledging not to be the first country to introduce nuclear arms into a conflict will not reduce the options available to policy makers in responding to a threat, or negatively affect US security. Instead, a policy of no-first-use would send a clear message to the rest of the world that the United States considers the use of nuclear weapons immoral against anything but an existential threat and that America’s nuclear arsenal is a defensive asset. The policy would also allow the United States to reclaim its moral authority on nuclear disarmament, increase stability in the US relationship with other nuclear powers particularly rival countries like China and Russia and deemphasize the importance of nuclear weapons in US security policy.

#### Cred isn’t key – situations are compartmentalized and unique – conclusive data proves

Ganesh Sitaraman, Assistant Professor of Law at the Vanderbilt Law School, January 2014, “Credibility and War Powers,” http://www.harvardlawreview.org/issues/127/january14/forum\_1024.php

In the most extensive research on credibility theories, Professor Daryl Press reviewed thousands of pages of archival documents and found that the current calculus theory, not the past action theory, best explains decisionmaking in the “appeasement crises” of the 1930s, the Berlin crises of the late 1950s and early 1960s, and the deliberations during the Cuban Missile Crisis. On the past actions theory, the Nazis should have interpreted British and French threats as not credible because the Allies repeatedly backed down when Germany took aggressive steps in the 1930s. The historical evidence, however, shows that German leaders believed British and French threats were credible — even after the Allies backed down. For the German leaders, credibility was a function of the Allies’ power, not their reputation. Indeed, Press finds that German leaders almost never referenced past actions by the British and French. Accordingly, he concludes that appeasement was poor strategy not because the Allies undermined their credibility, but because it allowed Germany to increase its power.25 From 1958 to 1961, the world watched a nu mber of Berlin crises unfold between the Soviets and the West. Soviet Premier Nikita Khrushchev set six-month deadlines for the Allies to withdraw from West Berlin, and he threatened to cut off access to the city. Yet every time, Khrushchev backed down. On the past actions theory, British and American leaders should have interpreted each successive threat as less credible. However, Press found that Soviet threats actually became more credible, not less credible.26 During this same period, the Soviets expanded their nuclear arsenal; as their nuclear prowess grew, so did their credibility. Indeed, by the time of the Cuban Missile Crisis, American leaders strongly believed that Khrushchev would not back down if the United States acted in Cuba. Here too Press finds that British and American leaders almost never mentioned Khrushchev’s record of bluffing.27 In an important book on reputation, Mercer analyzed the crises leading up to World War I.28 He finds that decisionmakers interpreted their adversaries’ backing down based more on the specific situational context, rather than on the disposition of the actors.29 Thus, when the Germans backed down, the Triple Entente of Britain, France, and Russia attributed those defeats to situational factors. To the extent they considered past actions, the Entente believed Germany would be more likely to follow through on its threats in the future because it had previously been defeated. Note also that both Press’s and Mercer’s cases stack the deck in favor of past actions theory: the players were the same, there were repeated crises in a short period of time, and the crises involved the same issues. These are precisely the situations in which we would expect past action theories of credibility to be most powerful at explaining behavior. Looking specifically at military actions justified by credibility arguments, political scientists have also provided historical evidence that allies and adversaries do not necessarily interpret these actions as enhancing America’s reputation or credibility. In a study of the Korean War, Mercer recounts how Secretary of State Dean Acheson believed that Western European allies were at “near-panic” over whether the United States would act.30 They were not. When the British Cabinet met to discuss the issue, Korea was fourth on their agenda and some of the ministers could not locate Korea on the map.31 Meanwhile, the French were concerned that the Americans would be too resolute. They worried that the United States would start a world war over what they saw as an area that was strategically unimportant.32 In another study, Professor Ted Hopf analyzed the Soviet reaction to the United States’s withdrawal from Vietnam. Hopf found that the Soviets did not see United States withdrawal as decreasing American credibility in the Cold War.33

#### No impact to reduced US activism

Christopher J. Fettweis, Department of Political Science, Tulane University, 9-26-2011, Free Riding or Restraint? Examining European Grand Strategy, Comparative Strategy, 30:316–332, EBSCO

It is perhaps worth noting that there is no evidence to support a direct relationship between the relative level of U.S. activism and international stability. In fact, the limited data we do have suggest the opposite may be true. During the 1990s, the United States cut back on its defense spending fairly substantially. By 1998, the United States was spending $100 billion less on defense in real terms than it had in 1990.51 To internationalists, defense hawks and believers in hegemonic stability, this irresponsible “peace dividend” endangered both national and global security. “No serious analyst of American military capabilities,” argued Kristol and Kagan, “doubts that the defense budget has been cut much too far to meet America’s responsibilities to itself and to world peace.”52 On the other hand, if the pacific trends were not based upon U.S. hegemony but a strengthening norm against interstate war, one would not have expected an increase in global instability and violence. The verdict from the past two decades is fairly plain: The world grew more peaceful while the United States cut its forces. No state seemed to believe that its security was endangered by a less-capable United States military, or at least none took any action that would suggest such a belief. No militaries were enhanced to address power vacuums, no security dilemmas drove insecurity or arms races, and no regional balancing occurred once the stabilizing presence of the U.S. military was diminished. The rest of the world acted as if the threat of international war was not a pressing concern, despite the reduction in U.S. capabilities. Most of all, the United States and its allies were no less safe. The incidence and magnitude of global conflict declined while the United States cut its military spending under President Clinton, and kept declining as the Bush Administration ramped the spending back up. No complex statistical analysis should be necessary to reach the conclusion that the two are unrelated. Military spending figures by themselves are insufficient to disprove a connection between overall U.S. actions and international stability. Once again, one could presumably argue that spending is not the only or even the best indication of hegemony, and that it is instead U.S. foreign political and security commitments that maintain stability. Since neither was significantly altered during this period, instability should not have been expected. Alternately, advocates of hegemonic stability could believe that relative rather than absolute spending is decisive in bringing peace. Although the United States cut back on its spending during the 1990s, its relative advantage never wavered. However, even if it is true that either U.S. commitments or relative spending account for global pacific trends, then at the very least stability can evidently be maintained at drastically lower levels of both. In other words, even if one can be allowed to argue in the alternative for a moment and suppose that there is in fact a level of engagement below which the United States cannot drop without increasing international disorder, a rational grand strategist would still recommend cutting back on engagement and spending until that level is determined. Grand strategic decisions are never final; continual adjustments can and must be made as time goes on. Basic logic suggests that the United States ought to spend the minimum amount of its blood and treasure while seeking the maximum return on its investment. And if the current era of stability is as stable as many believe it to be, no increase in conflict would ever occur irrespective of U.S. spending, which would save untold trillions for an increasingly debt-ridden nation. It is also perhaps worth noting that if opposite trends had unfolded, if other states had reacted to news of cuts in U.S. defense spending with more aggressive or insecure behavior, then internationalists would surely argue that their expectations had been fulfilled. If increases in conflict would have been interpreted as proof of the wisdom of internationalist strategies, then logical consistency demands that the lack thereof should at least pose a problem. As it stands, the only evidence we have regarding the likely systemic reaction to a more restrained United States suggests that the current peaceful trends are unrelated to U.S. military spending. Evidently the rest of the world can operate quite effectively without the presence of a global policeman. Those who think otherwise base their view on faith alone.

#### Nuclear flex causes nuclear war

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, 12-29-2009, “Presidential Authority to Launch a Nuclear Attack,” http://epwilbur.com/wp-content/uploads/2009/12/Presidential-Power-nuclear-article2.pdf

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 very 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 result in 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.