# 1NC

### 1NC – T-Activate

#### Topical affs must limit “the conditions under which” they are “activated”, known as the *casus foederis*.

Sabrosky ’88 [Alan Ned; retired Marine officer and former Director of Studies and Douglas MacArthur Chair of Research at the United States Army War College's Strategic Studies Institute; 1988; “Foreword”; *Alliances In U.S. Foreign Policy: Issues In The Quest For Collective Defense*; TV]

The fourth and final attribute is the scope of the accord. This involves considerations of (a) the formal duration of the pact, including the provisions, if any, for renewal; (b) the various obligations or burden-sharing arrangements undertaken by the signatories on their collective behalf; (c) the casus foederis—that is, the conditions under which the alliance commitments assumed by the signatories will be activated; and (d) the decisionmaking process involved in preparing for, or responding to, the contingencies the alliance was designed to meet. The precise scope of an alliance is often extremely sensitive, since it may entail the identification of specific adversaries and specific national objectives that the signatories do not want to become public knowledge. Thus, the public or "open" document defining a pact may be couched in somewhat ambiguous or overly general terms, with those provisions requiring more delicate handling being reserved for secret protocols or informal "memoranda of understanding" among the alliance partners.

#### “Defense pacts” obligate aid.

Morrow 00 – James D. Morrow, Political Science Professor at the University of Michigan (starting in 2000). [Alliances: Why Write Them Down? Annual Review of Political Science, 3(1), Annual Reviews]

Two or more states form an alliance when they conclude a treaty that obliges them both to take certain actions in the event of war. Commonly, the study of alliances focuses on defense pacts—mutual commitments by states to come to one another's aid if one is attacked—over lesser degrees of commitment, such as ententes. Nevertheless, all formal military agreements share a similar logic with different degrees of expected action in the event of war, and this chapter explores that logic.

#### The *casus foederis* is the triggering event, NOT the type of response.

Lyon 17 [Rod Lyon is a senior fellow at ASPI, “North Korea, War and ANZUS,” 8-16, “https://www.realcleardefense.com/articles/2017/08/16/north\_korea\_war\_and\_anzus\_112062.html, y2k]

Each Party recognizes that an armed attack in the Pacific Area on any of the Parties would be dangerous to its own peace and safety and declares that it would act to meet the common danger in accordance with its constitutional processes.

That is what J.G. Starke called ‘the key or operative provision of the Treaty, the one which lays down the *casus foederis* of the alliance’ (page 117). The article requires an actual physical attack on one of the treaty’s parties, not merely the imminent threat of such an attack. Hence, it does not require us to support a preventive war by the U.S. on North Korea. But the term ‘armed attack’ does cover events such as nuclear or biological use, or missile strikes.

What the treaty doesn’t do is tell us how we should act, except in the broad sense that we would ‘act to meet the common danger’. That action, says Starke, needn’t be a military one. In some circumstances, diplomatic action may suffice. Nor is the action automatic. No party is bound to declare war. Moreover, the general principle underlying Starke’s treatment of that issue is one of proportionality: the parties may ‘act’ only to the degree that meets the threat. In that sense, the detonation of a North Korean nuclear weapon over Denver might not justify an allied retaliation that essentially turned North Korea into a carpark; a retaliation that, as Mattis threatened recently, would lead to ‘the end of [the DPRK’s] regime and the destruction of its people’.

#### Violation – the plan allows the condition to be activated, but interprets how we respond.

Brett Ashley Leeds et al., Andrew G. Long and Sara McLaughlin Mitchell, all Political Science @ FSU, 2000, “Reevaluating Alliance Reliability: Specific Threats, Specific Promises,” The Journal of Conflict Resolution , Oct., 2000, Vol. 44, No. 5 (Oct., 2000), pp. 686-699

When they sign alliances, leaders specify that the alliance comes into force only if particular conditions are met (the casus foederis). If we wish to judge whether allies honor their commitments, we should consider only cases in which the conditions required to activate the alliance are present. When states participate in wars that are outside the domain of their alliance agreements, their allies have made no promises to them, and thus the degree to which allies fulfill promises cannot be judged. We do not consider these cases to represent opportunities to judge war performance and exclude them from the sample. Table 2 shows that in 67 cases, the casusfoederis specified in the alliance treaty was not met in the war in question.

#### Limits and ground – infinite response types allow affs that maintain the status quo and deviate from the core literature controversy of how to restrict the defense pact. Extra T allows infinite additions that make neg preparation impossible.

### 1NC – NSA CP

#### The United States federal government should adopt a policy restricting activation of its defense pact with the Republic of Japan against missiles being launched into Japanese waters and/or airspace in circumstances where Japan has not expressed affirmative consent against nations who are members of the Nonproliferation Treaty adopting a negative security assurance referencing international law limitations on use of force, and announce this policy.

**NSA’s should only be offered to states compliant with the NPT. The CP strengthens the NPT, while the plan emboldens nuclear proliferation.**

**Blair and du Preez, 05**—Charles P. Blair is Senior Fellow on State and Non-State Threats for the Federation of American Scientists (FAS). Jean P. du Preez is Director of the International Organizations and Nonproliferation Program of the Center for Nonproliferation Studies at the Monterey Institute of International Studies. (“The Demise of Nuclear Negative Security Assurances on the Bush Administration’s Pentomic Battlefield,” Nonproliferation Review, Vol. 12, No 1, March 2005, <https://fas.org/wp-content/uploads/2013/07/Vission-of-Fission-the-Demise-of-Nuclear-NSAs.pdf>)

5. Unilateral security assurances are the most likely way states will give and receive assurances in the near future but also represent the worst possible manner in which to handle the issue of security assurances. Ironically, the North Korean crisis has provided new fodder for the debate over negative security assurances. All signs indicate that the Bush administration, as it seeks a solution of the Korean crisis, has offered the North Korea NSAs in exchange for that state’s de-nuclearization.154 Offering a nuclear nonaggression pact as a reward to a state that has been in noncompliance all along could cause **serious political problems and** further **jeopardize the long-aspired goal of non-nuclear weapon states that are in good standing**. Many NNWS will almost certainly object that security assurances rightfully belong to those who have given up the nuclear weapon option—as opposed to those who are still keeping their options open. Many states have already pointed out that by giving NSAs to a state that currently possesses nuclear weapons, the United States would **signal to would-be proliferators** that the way to extract assurances against the threat or use of nuclear weapons is to **threaten to use or develop nuclear weapons of their own.**

Regardless of how legally NSAs are to be formulated, it would therefore be important to recognize that such assurances offered **within** the context of **the NPT**, as opposed to another forum, would provide **a significant benefit to NPT parties** and would serve as **an incentive to those who remained outside the treaty**, or those who may consider leaving the regime. As such, security assurances should be granted **only to states that have forgone the nuclear weapons option** and not to those who are still keeping their options open. They should therefore not be applicable to non-NPT parties who are aspiring to acquire or develop nuclear weapons in contravention of the treaty. Security assurances granted to NNWS inside the treaty will emphasize the basic principle that **security is guaranteed by the nuclear nonproliferation regime** and not by nuclear weapons. This would **strengthen the regime** and **confirm the validity of the NPT** and its indefinite extension. Legally binding security assurances linked to the NPT would build confidence among NPT state parties, addressing concerns over possible scenarios in which some NWS may consider using nuclear weapons. It would also **provide incentives to states outside the NPT**.

**North Korea will denuclearize in exchange for negative security assurances---that solves Korean nuclear war.**

**Perry 17**—William J. Perry is the former United States Secretary of Defense. (“Diplomacy Is the Solution,” US News, August 15, 2017, <https://www.usnews.com/opinion/articles/2017-08-15/north-koreas-nuclear-ambition-can-be-stopped-with-diplomacy>, Accessed November 27, 2018)

WE ARE NOW INTENSELY engaged in **the third nuclear crisis with North Korea**, with the possibility looming of **a second Korean War**. The first Korean War led to more than a million casualties, but a second Korean War would be **even more catastrophic**, likely **involving the use of nuclear weapons**. So we should make a serious effort to resolve this crisis without war. The first two nuclear crises with North Korea, though both very dangerous, were **resolved with diplomacy**, so it is useful to look back at those crises for lessons, both positive and negative.

The first crisis occurred in May 1994, when I was the secretary of defense. North Korea's nuclear reactor had just finished a fuel cycle when they ordered the UN inspectors to leave and announced that they were going to reprocess the fuel to produce plutonium. That would allow them to produce enough plutonium to make six nuclear bombs about the size of the Hiroshima bomb. I was authorized by President Bill Clinton to state that we would not allow them to do that. I prepared a contingency plan to conduct a cruise missile strike (with conventional warheads) that would destroy the nuclear reactor, and I also prepared a plan to reinforce our troops in South Korea, to prepare for a possible North Korean military response. However, we understood the dangers involved in these plans so we far preferred a diplomatic solution.

President Clinton authorized former President Carter to meet with the North Korean leader, Kim Il Sung, to explore diplomatic alternatives. He succeeded and by the end of the year, we had negotiated the Agreed Framework, by which North Korea completely shut down its nuclear facility at Yongbyon, and South Korea and Japan began construction of a replacement reactor that was not so susceptible to making fuel for nuclear bombs. That slowed down the North's bomb program, perhaps by ten years. But it did not lower their interest in getting nuclear weapons. They proceeded covertly at a different facility to develop an alternative path to a bomb – highly enriched uranium. The lessons for today are obvious: **North Korea is open to agreements on their nuclear program**, and we can benefit from such agreements, but we should understand how deeply committed they are to achieving a nuclear deterrence capability, and we should insist on strong verification procedures on any future agreements we reach with them.

The second crisis occurred in 1999, caused by North Korean tests of long-range missiles. Since a long-range missile makes no military sense with a conventional warhead, we believed that these tests were an indication that they still had a nuclear program underway (at some location other than Yongbyon). So there was serious consideration of withdrawing from the Agreed Framework, which would have allowed North Korea to reopen their nuclear facility at Yongbyon, taking us back to the nuclear crisis of 1994. I was then out of government and back at Stanford, but President Clinton asked me to become his envoy to North Korea and try to resolve this new crisis. I agreed and formed a partnership with comparable envoys from South Korea and Japan.

Within three months we had formulated a proposal by which North Korea would verifiably stop both their nuclear program and their long-range missile program. I was then authorized to go to North Korea to get their agreement on this proposal. The meetings in North Korea were positive and I left believing that we could reach a strong and verifiable agreement. Kim Jong Il later sent his senior military man to Washington to discuss the agreement and indicate his willingness to sign such an agreement with President Clinton. That meeting took place in October 2000; the next month George W. Bush was elected president, and after he took office he cut off all discussions with North Korea for two years. So the agreement was never signed, and we will never know how successful it would have been, given the North's history of finding ways to evade agreements.

The important lesson we learned from that negotiation, still applicable today, is **the priority that the North placed on security assurances** from the United States. The economic incentives offered by Japan and South Korea were important, but American security assurances **were the primary objective of the North Korean negotiator**.

### 1NC – Defense Pact PIC

#### The United States federal government should:

* enter into negotiations with North Korea, relieving sanctions and allowing North Korea to maintain its nuclear arsenal in exchange for North Korea decommissioning its Intercontinental Ballistic Missiles.
* create a binding policy that foreswears “bloody nose” strikes, preventative strike, preemptive strikes and declare any strikes on north Korea will follow all international restrictions on the use of force.
* adopt an No first use policy.
* in the event of an attack against Japan, use measures short of armed force, covertly working with think tank, university, NGO, and media communities to support the US reasoning in the event of abandonment

#### North Korea says yes — the counterplan solves war in the region and restores balance of power

Zhang, Poli Sci PhD, ’19 [Hongyu, Professor of Political Science @ University of North Carolina-Wilmington, PhD in Political Science @ University of Georgia, and Kevin Wang, “A nuclear-armed North Korea without ICBMs: the best achievable objective,” *The Nonproliferation Review* 26.1-2 (2019): 143-153, DFU | AS]

The basic idea of US diplomacy with North Korea is to exchange security guarantees for nuclear disarmament. In the Joint Statement issued in Singapore in June 2018 by the two countries’ leaders, these ideas were expressed in terms of “new U.S.-DPRK [Democratic People’s Republic of Korea] relations,” “a lasting and stable peace regime on the Korean Peninsula,” and “complete denuclearization.” 1 However, developments following the summit suggest that nuclear disarmament in North Korea is unlikely.2 The most recent Hanoi Summit in Vietnam ended without a deal. These developments should not come as a surprise, nor should they be considered unduly worrisome.

The most reasonable, achievable security goal in Northeast Asia is not North Korean nuclear disarmament, but the maintenance of a balance of power as described in the realist school of international-relations theory. North Korea, an ideological outlier, is surrounded by larger states with far stronger conventional military forces. Its leaders’ choices on security matters are therefore highly constrained. Their most fundamental incentive for acquiring nuclear weapons is to ensure the survival of the state against external threats, and not for purposes of domestic politics or to enable aggression. To be sure, the nuclearweapon program brings additional benefits for the regime—serving as a source of national pride and thus enhancing regime legitimacy—but these benefits are secondary to the need to survive. This simple calculation may explain why North Korea has built nuclear weapons despite incurring international isolation and sanctions.

This persistence in acquiring nuclear weapons, even at great cost, should weigh against the belief that foreign powers such as the United States and China have the means to compel North Korea to “denuclearize.” North Korea’s nuclear arsenal makes forcible regime change an extremely unappealing idea. While it might be possible for China to take extreme measures that would destabilize the regime, the resulting humanitarian disaster would spill across China’s borders.

After decades of confrontation, no inducements—including security guarantees—can convince Kim Jong Un to give up his bomb. Simply put, a nuclear-armed North Korea is a bitter pill to swallow, but unavoidable. However, North Korea’s intercontinental-ballistic-missile (ICBM) capability is within the bargaining range. A theater nuclear deterrent with short-range and medium-range ballistic missiles suffices to maintain a balanced power structure on the peninsula, whereas an ICBM capability would threaten the balance of power on and beyond the peninsula and will not lead to greater stability in the region. Meanwhile, a nuclear North Korea with a limited delivery capability does not put the US homeland at risk, thus containing the Korean issue to its region. As a means of restoring balance, this theater nuclear deterrent does not pose an offensive threat to South Korea and Japan.

Policy makers in Washington consider threats from a nuclear North Korea unacceptable. However, the possession of nukes may be the best way to de-radicalize North Korea and constrain its aggression. As Kenneth Waltz once put it, “Obtaining nukes is a sobering event.” 3 Instead of being emboldened,4 states acquiring nuclear weapons become more cautious because they know they become potential targets of major powers.5

#### Plank 2 solves norms — their ev says preventative strikes are harming norms, not first-use policy.

Robert 1AC Farley 18, assistant professor at the Patterson School of Diplomacy and International Commerce, #GoCats, “Preventive Self-Defense Strikes Against North Korea May Set an Uneasy Precedent,” The Diplomat, 2-4-2018, https://thediplomat.com/2018/02/preventive-self-defense-strikes-against-north-korea-may-set-an-uneasy-precedent/

Under what legal authority can the United States undertake strikes against North Korea? Dr. Steven Metz of the Army War College suggests that a “bloody nose” attack would make a mockery of international law, with potentially dreadful ripple effects across international society. Maybe… but the United States can probably assemble a case, however tenuous, that will give more than a few countries an excuse to look away.

To begin with, the question of the legality of an attack under U.S. law is mostly a settled question; under U.S. domestic law, attacking North Korea would be largely unproblematic. As Jack Goldsmith points out, lawyers would have no difficulty justifying a strike under U.S. law, which grants broad latitude to the President for using force in preventive contexts. And even regarding international law, the question is less “would war against North Korea be illegal” than “what tenuous principle would the lawyers of the Trump administration hang the war upon?” The credibility of U.S. threats against North Korea depends, at least to some extent, on a fair evaluation of these questions.

The most likely in this case is the idea of preventive self-defense. Preventive self-defense tries to drag out the logic of pre-emptive war in a temporal sense, arguing that inevitable attacks can sometimes only be preempted by actions that precede the expected attack by a significant amount of time. The logic runs thus: North Korea will certainly attack if it masters the technology associated with mating nuclear weapons to delivery systems, but this development can only be preempted by strikes at an early stage of this process.

This… is an extremely dicey idea with minimal historical support, and is not likely to prove convincing to many specialists in international law. It leaves open tremendous latitude for a state to launch a war against any state that it deems threatening at any point in the future. The real distinctions between preventive self-defense and preventive war in a more general sense are blurry, if they exist at all.

But international society may deem North Korea so annoying that it is willing to overlook the violation of clear legal principles in service of the curtailment of its behavior. Not many complained overmuch about Israel’s strike against suspected Syrian nuclear facilities in 2007, and the Syrian program was far less sophisticated than the North Korean. Similarly, while a state of unfriendliness existed between Israel and Syria, it was by no means obvious that latter would immediately use nuke against the former.

The question, really, is less “can the United States strike North Korea under international law?” than “what precedents would the United States like to leave around for other countries to pick up and use themselves?” Under this doctrine it would seem that North Korea has ample legal justification for attacks against the United States; U.S. officials have openly discussed attacking the DPRK, and appear to be moving forces to the region in order to conduct such strikes. It is possible that U.S. policymakers are taking this consideration seriously, but as of yet there seems little evidence that they care very much.

#### Day after diplomacy avoids the commitment trap.

Joshua Shifrinson, Prof of IR @ BU, ’17, “Time to Consolidate NATO?” *The Washington Quarterly,* Vol. 40, Issue 1.

Finally, American policymakers can pursue a third option by preparing for the day after the shaky foundations of the United States’ security guarantees are revealed while nominally maintaining existing American commitments. This may be a difficult task and rife with risks, but may be the best option available. The aftermath of a crisis—such as a Russian invasion of the Baltics which the United States opts not to escalate, a fait accompli akin to the Russian seizure of Crimea, or a limited seizure of Baltic territory that NATO did not fully contest—is liable to see pervasive questions from remaining allies over the future of American security guarantees. Such questions are likely to be overlaid with domestic U.S. disputes over who “lost” the ally or territory, alongside pressures from vested interest groups to showcase U.S. resolve to its remaining partners. Although it cannot eliminate these issues, preparation can ameliorate post-crisis dilemmas through a combination of public diplomacy, private engagement, and unilateral strategizing.

Day-after preparations consist of two elements. First, policymakers must be prepared to offer remaining partners compelling explanations as to why the United States de facto abandoned one or more allies. Again, questions over the future credibility of American security guarantees would abound in a post-abandonment world. Still, this environment is also likely to see a growing sense of an even-more pressing Russian threat. Among critical allies, policymakers should be prepared to use this renewed sense of a Russian threat to beat back questions over the future of the American pacifier. States, after all, tend to balance in the face of external threats while husbanding resources to address those threats at the most propitious time and place. Hence, American policymakers can use post-abandonment fears of Russia to (1) reinforce solidarity among remaining NATO members, (2) remind remaining allies that the United States now has a proportionally larger interest in guaranteeing their security, and (3) explain prior American abandonment by pointing out the limited utility and difficulties of acting in those particular episodes. Just as General Omar Bradley warned that a war against China over Korea in 1951 would have been “the wrong war, at the wrong time, in the wrong place,” so should future leaders be prepared to argue that defending all of Eastern Europe at unlimited cost would be “the wrong operation, at the wrong time, in the wrong place.” 40

Second, and relatedly, U.S. policymakers must work among themselves to cultivate a domestic base of support to resist pressures to stand firm on every remaining commitment. This requires not only discussions inside the U.S. government to outline the steps that should be taken after abandoning states such as the Baltics and Poland, but also quietly reaching out to key stakeholders in the think tank, university, NGO, and media communities. Like conversations within the alliance, discussions should involve plans and procedures for (1) managing expectations going forward and (2) using the Russian threat to buttress the newly-circumscribed alliance, all while (3) calibrating the United States’ political-military response. The objective throughout should be to generate thinking so that, if the American credibility bluff is called, U.S. strategists would have guidelines in place to shape a cohesive response focused on truly vital interests and backed by the requisite political support.

### 1NC – Japan DA

#### Wavering commitments to Japan cause nuclear rearmament.

Debs & Monteiro ’18 [Alexandre & Nuno P; Associate Professor of Political Science at Yale University, research fellow at the Whitney and Betty MacMillan Center for International and Area Studies; Associate Professor of Political Science at Yale University; March 2018; “Cascading Chaos in Nuclear Northeast Asia”; <https://www.tandfonline.com/doi/full/10.1080/0163660X.2018.1445902>; The Washington Quarterly, Vol. 41; accessed 8/27/20; TV]

Contrary to South Korea, Japan has never attempted to develop nuclear weapons since the end of World War II. Having enjoyed reliable U.S. security guarantees, Tokyo has always eschewed an investment in an autonomous nuclear arsenal. Japan’s nuclear forbearance has deep historical roots. The Japanese constitution of 1947 renounces war; Japanese strategy since then relies on U.S. security guarantees and U.S. forces deployed on its soil to mitigate any security threats—a logic known as the “Yoshida Doctrine.” To this day, Japan continues to impose considerable limitations on its own conventional military capabilities. As a result, it depends on U.S. protection against both North Korea and, perhaps more importantly, a rising China—at least as much as its South Korean neighbor. Perhaps even more than in the case of South Korea, Japan’s nuclear policy is shaped by the reliability of U.S. security guarantees.

While renouncing nuclear weapons, Japan possesses a capacious nuclear energy program and a mature space program. Were it to decide for nuclearization, therefore, Tokyo would quickly be able to place nuclear warheads on long-range missiles. Estimates of the nuclear breakout period that Tokyo would face range from less than 6 months to a more conservative 3-5 years.37 In any case, Japanese nuclearization would entail serious potential for regional instability, creating conditions propitious for a nuclear arms race if not a preventive counterproliferation war. At the root of the Yoshida Doctrine was an attempt to reassure the region and the world of Japan’s peaceful intentions. Serious concerns would arise, especially in Beijing, if Japan were to pursue an independent nuclear arsenal.

Japanese reliance on U.S. security guarantees has been tested over the decades, with Washington consistently reiterating its determination to protect Japan whenever threatened. When in 1964, China tested its first nuclear weapon, Japanese Prime Minister Sato Eisaku hinted at the possibility that Japan might also go nuclear, telling U.S. ambassador Edwin Reischauer that “if other fellow had nuclears [sic] it was only common sense to have them oneself.”38 In response, President Lyndon Johnson told Sato that “since Japan possesses no nuclear weapons, and we have them, if Japan needs our nuclear deterrent for its defense, the United States would stand by its commitment and provide that defense. … Japan need not give even a second thought to the dependability of its American ally.” Sato responded positively, telling Johnson that “although he could see why it might be argued that if China has nuclear weapons, Japan should also, this was not Japan’s policy.”39 In the end, Sato was satisfied with an unequivocal restatement of U.S. security assurances.

Three years later, Japan deepened its commitment to remaining a nonnuclear state by adopting the so-called “three nonnuclear principles”: Japan would not produce, possess, or introduce nuclear weapons on its territory. Sato met again with President Johnson, stating that “Japan’s whole security was based on its security arrangement with the U.S. The Japanese were well protected by the U.S. nuclear umbrella and Japan had no intention to make nuclear weapons.”40 A reliable U.S. nuclear umbrella has always been the necessary condition for Japan’s nuclear forbearance.

Soon, shifts in U.S. policy would again test Japanese confidence in U.S. security guarantees. In early 1968, President Johnson announced the de-escalation of U.S. intervention in Vietnam. The following year, President Nixon announced his “Guam doctrine,” asking the United States’ Asian allies to shoulder more of the costs of their own security—based on a logic not unlike that underpinning the Trump administration’s recent pronouncements. Consequently, Sato’s government entertained the possibility of altering Japanese defense policy and commissioned a cost-benefit analysis of Japanese nuclearization from the Cabinet Information Research Office—what became known as the 1968/70 Internal Report. This study concluded that even though Tokyo had the economic and technological wherewithal to build a nuclear arsenal, Japan’s nuclearization would be counterproductive for its security situation. A Japanese bomb would cause serious concerns among its adversaries; plus, the particularly high population density of the country made it especially vulnerable to nuclear attack. Japan’s security would be ensured as long as its adversaries believed that they would face U.S. nuclear retaliation. The report thus recommended continued reliance on the U.S. nuclear umbrella.41 In February 1970, Japan agreed to sign the NPT.

Since the end of the Cold War, Japan’s security concerns focus on a rising and revisionist China and on North Korea provocations. When Pyongyang first tested a nuclear weapon in 2006, Prime Minister Shinzo Abe reaffirmed Japan’s adherence to the three nonnuclear principles, while President George W. Bush reasserted the U.S. commitment to Japanese security.42 President Barack Obama offered similar assurances after each subsequent North Korean nuclear test.43

Japan’s nuclear forbearance is certainly made easier by Japanese public opinion, which is frequently described as allergic to nuclear weapons as a result of the attacks on Hiroshima and Nagasaki, a feeling that was only reinforced with the disaster at Fukushima.44 Nevertheless, reliable U.S. security assurances, supported by the presence of a large number of U.S. troops in Japan, have played a key role in maintaining Japan’s unique forbearance against nuclear weapons. After all, Japan is the world’s third largest economy and possesses full control of the nuclear fuel cycle, yet remains a nonnuclear state.

Faced with a rising and increasingly assertive China and with a rapidly growing North Korean nuclear ability to target the Japanese islands, Tokyo more than ever relies on U.S. security guarantees to be able to deter aggression without its own autonomous nuclear arsenal. Should the Trump administration question U.S. commitments to its East Asian allies, Tokyo may be pushed to change its policy of nuclear forbearance.

As with South Korea, Washington might still attempt to deter Japanese nuclearization by imposing economic sanctions on Japan while denying it credible security guarantees. In our view, despite the deep level of international integration of the Japanese economy and the strong preference of Japanese leaders to remain embedded in the U.S.-led economic order, the dire security situation in which Japan would be left in this scenario would likely lead Tokyo to push toward nuclear acquisition despite any sanctions.

The key source of instability in this scenario, however, would stem from Beijing’s likely reaction to a Japanese proliferation effort. Given the short breakout period Tokyo enjoys, Beijing’s leadership would have to decide fast on China’s policy. A preventive counterproliferation strike against Japan would be exceedingly costly and, for now, likely to be beyond the technical capability of the Chinese military, but a forceful Chinese reaction, including threats of military action, is not beyond the realm of the possible.

This risk of Japanese nuclear acquisition would, of course, be compounded by eventual South Korean nuclearization. Were Seoul to build an autonomous nuclear arsenal, Tokyo would be greatly tempted to do so as well. In what concerns U.S. nuclear nonproliferation policy, then, U.S. security commitments to each of its two main East Asian allies are deeply interconnected. The removal of U.S. security guarantees to either South Korea or Japan would trigger a process that would vastly augment instability in East Asia.

#### Unilaterally adjusting the treaty induces a more active Japanese military posture – specifically true for “low-level” conflict like the Senkaku Islands.

Rowberry 14 (December 2014, Ariana Navarro is a Fellow at the Brookings Institution, “Advanced Conventional Weapons, Deterrence and the U.S.-Japan Alliance”, Arms Control and Non-Proliferation Initiative at Brookings, https://www.brookings.edu/wp-content/uploads/2016/06/advanced-conventional-weapons-deterrence-us-japan-rowberry.pdf)

In 1951, the United States and Japan concluded the Security Treaty Between the United States and Japan, which formally ended the U.S. occupation of Japan and established the foundation for military cooperation between the two states. The security treaty provided the United States with broad authority, including the right to base an unregulated number of U.S. troops on Japanese soil to safeguard U.S. interests in the Asia-Pacific region. Nearly a decade later, in 1960, the treaty was revised in response to Japanese concern that it allowed the U.S. too much influence. The new Treaty of Mutual Cooperation and Security allowed the United States to retain basing rights, but stipulated that it must consult Japan before moving large numbers of troops in or out of the country. The central component of the 1960 treaty states that the United States and Japan will “act to meet the common danger” in the event of an attack on either state.3 Expanded in 1970, the treaty remains in force today and constitutes the backbone of the alliance.

Military cooperation between the two states depends heavily on Japan’s interpretation of its constitution. In a post-World War II environment, the constitution, heavily influenced by General Douglas MacArthur and the U.S. occupation authorities, aimed to reassure the international community that Japan would not remilitarize. Adopted in 1947, the Japanese constitution states that, “the Japanese people forever renounce war as a sovereign right of the nation and the threat or use of force as means of settling international disputes…land, sea, and air forces, as well as other war potential will never be maintained.”4 Only limited defenses are permitted; Japan’s constitution dictates “that the extent of use of defense force is kept to a minimum necessary for self-defense.”5 Following this policy, Japan created modest Self-Defense Forces (SDF); however, there are a series of restrictions placed on how these forces can operate. For example, the SDF are prohibited from using more force than is minimally necessary and cannot participate in actions that are “an integral part of any use of force, broadly defined.”6

Today, the constitution remains the primary source of guidance for Japan’s defense policy. Since the early 1990s, a series of events, including North Korea’s provocations and China’s rise, have led certain Japanese officials to question whether an “exclusively defense-oriented” policy is in Japan’s best interest.7 This consideration is amplified by Japan’s concern over whether the United States, made weary by its protracted wars in Iraq and Afghanistan, would be willing to come to Japan’s aid in the event of an attack. Japan is particularly concerned about American willingness to assist in the event of a low-level conflict, such as over the Senkaku/Diaoyu Islands subject to Chinese territorial claims. Japan is therefore reviewing its defense policies, and considering a more active posture.

Although the Abe administration has shown interest in expanding its defensive capabilities, the U.S. extended deterrent remains at the center of Japanese security. And as the Japanese government seeks a more active national defense policy, it also hopes to maintain its extended deterrence relationship with the United States. Changes in Japan’s defense policy and innovations in military technology have created an opportunity for Japan to strengthen its contribution to conventional deterrence and the U.S.-Japan alliance.

#### Unilateral policy reversals prompts prolif.

Bell et al. ’18 [Mark S. Bell, Joshua D. Kertzer, Bjorn Jerden, Hemal Shah; assistant professor of political science at the University of Minnesota, assistant professor of government at Harvard University, head of the Asia Program at The Swedish Institute of International Affairs, director for India and Regional Markets at the U.S. Chamber of Commerce’s Global Innovation Policy Center; 3/23/18; “ASSESSING THE U.S. COMMITMENT TO ALLIES IN ASIA AND BEYOND”; <https://www.gmfus.org/publications/assessing-us-commitment-allies-asia-and-beyond>; German Marshall Fund; accessed 10/28/20; TV]

The Trump administration has cultivated an atmosphere of uncertainty around its foreign policy objectives. Its positions on a host of issues reverse rapidly (e.g. the President traveling to Brussels to speak at NATO headquarters in March 2017 only to cut a reference to the American commitment to Article 5 at the last minute), or even simultaneously (as evident in the contradictory signals sent by President and the various cabinet members purportedly speaking on his behalf, on questions ranging from policies in the Middle East to strategic goals in East Asia). Administration officials routinely promise major announcements in “two weeks,”7 or cultivate a climate of improvisation. Allies and adversaries are left to parse tweets, seeking to divine grand strategic formulations in 140-character bursts, reinforced by the fact that many senior positions within the national security bureaucracy remain unfilled.

Some of this ambiguity may reflect an administration that is, itself, fundamentally unsure about both American foreign policy objectives and the best means to achieve them. Some of this ambiguity may also be intentional, out of the belief in the tactical value of ambiguity for bargaining leverage, or for catching adversaries of the United States off guard (“we must as a nation be more unpredictable,” Trump pledged during the first major foreign policy address of his campaign in late April 2016).8 Either way, the uncertainty is detrimental to cooperation.

Just as scholars of international relations often worry about how uncertainty makes it harder for actors in international politics to cooperate with one another,9 political psychologists argue that uncertainty has at least two important implications for how we think and behave. First, when faced with an uncertain world, individuals respond by trying to reduce the uncertainty they experience: uncertainty makes us cling to our “ingroups” (the groups to which we feel like we belong) and focus on threats to our identity.10 Uncertainty about the credibility of U.S. commitments thus not only incentivizes allies to “hedge” by looking into other arrangements to protect themselves, but also has the potential to exacerbate competitive dynamics. For example, it is not surprising that debates within South Korea, Japan, and even Germany about acquiring independent nuclear weapons are suddenly becoming more politically mainstream. If, for example, South Korean policymakers are uncertain about the credibility of U.S. extended deterrence, investing more in South Korean capabilities reduces the downside risk of relying on the United States. But this, of course, has the potential to exacerbate tensions with other states in the region, such as Japan, China, and North Korea. Allies investing more in their own defense and adopting more independent foreign policies also have the potential to increase tensions with the United States itself, creating a feedback loop that may further undermine the strength of the alliance.

#### That cascades and escalates.

Debs & Monteiro ’18 [Alexandre & Nuno P; Associate Professor of Political Science at Yale University, research fellow at the Whitney and Betty MacMillan Center for International and Area Studies; Associate Professor of Political Science at Yale University; March 2018; “Cascading Chaos in Nuclear Northeast Asia”; <https://www.tandfonline.com/doi/full/10.1080/0163660X.2018.1445902>; The Washington Quarterly, Vol. 41; accessed 8/27/20; TV]

The election of Donald J. Trump challenged some long-held core tenets of U.S. foreign policy. For decades, U.S. administrations have valued the nonproliferation of nuclear weapons among their most important foreign policy goals. At the same time, Washington has expanded its global influence by extending robust security guarantees to numerous countries around the globe. Finally, the United States has established strategic stability vis-à-vis its nuclear adversaries by relying heavily on the doctrine of deterrence. These three policies, as the analysis below will show, are deeply connected. Security assurances to allies, combined with a focus on deterring—rather than rolling back—adversary regimes, have long been among the most effective tools in Washington’s nuclear nonproliferation toolkit. The limited spread of nuclear weapons that resulted from these policies, in turn, has made it possible for the United States to expand its global influence and achieve its broader strategic goals at relatively low cost, avoiding major wars against nuclear adversaries and exercising a great deal of influence over its protégés.

Intent on breaking with past practice, the Trump administration has questioned the wisdom of U.S. security commitments to allies around the world, all the while escalating its rhetoric with nuclear adversaries. Both these moves undermine longstanding policies aimed at avoiding nuclear proliferation toward U.S. allies. If fully implemented, a U.S. strategy that would decrease the level of U.S. commitment to the security of its allies while increasing the aggressiveness of U.S. goals vis-à-vis nuclear adversaries would likely lead to a cascade of nuclear proliferation that, in turn, would severely undermine U.S. influence and security.

These changes in U.S. foreign policy are most visible in Northeast Asia. As a candidate, Trump complained that South Korea and Japan should do more to shoulder the burdens of their own defense, suggesting that he may even accept their acquisition of nuclear weapons.1 Since the election, the Trump administration has vigorously escalated its rhetoric vis-à-vis North Korea, threatening it with grave consequences should it continue with its nuclear weapons and ballistic missile programs.

Washington may induce its East Asian allies to consider their own independent nuclear arsenal.

This break with past U.S. diplomatic practice increases the risks of both nuclear proliferation and military conflict, and can seriously undermine U.S. security interests as well as its broader influence in Northeast Asia. In turn, lower U.S. influence in East Asia would undercut Washington’s ability to influence the trajectory of China’s rise, perhaps the most important factor shaping the long-term global security landscape. By asking its allies to do more for their defense, sowing doubts about its commitment to their security, and threatening unilateral escalation against their North Korean adversary—risking a conflict that could have catastrophic consequences for South Korea and Japan—Washington may induce its East Asian allies to consider their own independent nuclear arsenal as a more reliable way to ensure their security. This in turn would lead to a regional nuclear arms race, decreasing U.S. influence over Tokyo’s and Seoul’s decision making, reducing U.S. control over escalatory dynamics in future crises in the Korean peninsula, threatening a major regional war, and ultimately increasing the risk that Washington would be dragged into an unwanted conflict of grave proportions.

#### Abandonment fears accelerate military autonomy – extinction.

Fatton ’19 [Lionel P; Assistant Professor of International Relations at Webster University Geneva, Research Collaborator at the Research Institute for the History of Global Arms Transfer, Meiji University, PhD in Political Science, specialization International Relations, from Sciences Po Paris, Fellow at The Charhar Institute, Beijing; May 2019; “A new spear in Asia: why is Japan moving toward autonomous defense?”; <https://academic.oup.com/irap/article-abstract/19/2/297/4959342>; International Relations of the Asia-Pacific, Vol. 19, Issue 2; accessed 8/25/20; TV]

The alliance could be jolted by the United States’ growing entrapment anxiety. Washington has been relatively insulated from the ‘deter versus restrain dilemma’, or the fact that US security guarantees that strengthen the alliance’s deterrent power may embolden Japan to aggressive actions against neighbors by reassuring Tokyo about US backing (Snyder, 1997, 196). Heavy reliance on the United States for security and offensive operations has prevented Japan from taking such actions. The country’s move toward a more independent and offensive defense posture will exacerbate the ‘deter versus restrain dilemma’ for Washington. In line with the classic strategy of alliance management, the United States could be tempted to distance itself from Japan to mitigate the risk of entrapment. This in turn would heighten Tokyo’s fear of abandonment in regard to China and reinforce the ‘entrapment-abandonment dilemma’ vis-a`-vis the Korean Peninsula, thus accelerating the Japanese shift to autonomy. A vicious circle would ensue, pulling the two allies apart and triggering an existential crisis for the alliance.7

The evolutions of Japan’s defense posture could have destabilizing consequences for the Asia-Pacific region as well. The high level of distrust, if not hostility, between China and Japan since the end of the Second World War has portended spiraling tensions caused by action– reaction dynamics between competitive defensive measures (Samuels, 2007). The US–Japan alliance has mitigated this security dilemma by guaranteeing Japan’s survival and acting as a ‘bottle cap’ on the resurgence of Japanese militarism (Christensen, 2011, 236). A militarily more autonomous and powerful Japan would alarm China. The ‘egg shell’ perception, which has gained momentum in Beijing since the mid-1990s and posits that the alliance is an incubator of Japanese rearmament, would strengthen (Christensen, 2011, 236). Not only would Sino-Japanese relations deteriorate due to the prospect of Japan’s revival as a great power, US–China relations would also be undermined by Beijing’s recognition of the alliance as a destabilizing factor.

The United States and China, the world’s two largest economic and military powers, are widely regarded as holding the faith of the Asia-Pacific region. Japan is often dropped out of the equation despite its disruptive potential. A more autonomous Japan does not only raise the prospect of a military clash with China in the East China Sea, it also increases the likelihood of a Sino-American war. The US–Japan alliance could become the thread between an emotionally-charged territorial dispute and what would be a cataclysmic great power conflict (Miller, 2015). Deng Xiaoping said in the late 1970s that half of heaven would fall if Japan and China were to fight each other. Today, the whole heaven would collapse if the United States were embroiled.

### 1NC – Adv 1

#### Deterrence DA

#### Deterrence high because of bloody nose threats. It raises the cost of asymmetric escalation and brinksmanship.

Dong Sun **LEE** IR @ Korea University **AND** Iordanka **ALEXANDROVA** Peace and Democracy Institute @ Korea University **’19** “North Korean nuclear strategy: envisioning assured retaliation,” *International Relations of the Asia-Pacific*, p. 1-30 | AS

Finally, some discussions are in order on how the North Korean assured retaliation posture relates to American nuclear strategy, which is crucial to the security of Washington and its allies. The latest Nuclear Posture Review (NPR) delineates two key elements of the US posture against North Korea. First, US deterrence relies not only on punishment threats of ending the Kim regime and imposing intolerable costs but also on denial missions. Washington plans to employ ‘defensive and offensive capabilities to intercept and otherwise defeat North Korea’s missile capabilities’ (US Department of Defense, 2018: 33). The denial missions include preemptive strikes and, if deterrence fails, damage limitation by defeating and defending against attacks. Second, US nonstrategic nuclear weapons assume an important role in deterring North Korean ‘nuclear first use in support of conventional operation’ (US Department of Defense, 2018: 32). Pyongyang’s nonstrategic nuclear systems, which the NPR alleges are being developed, necessitate their superior US counterparts. In a nutshell, the Donald Trump administration espouses a ‘robust nuclear posture’ seeking nuclear advantages over adversaries, including North Korea (Kroenig, 2018b).

That said, how will this American posture affect the North Korean strategy? There is no reason to believe that the former will cause prompt changes in the latter. Pyongyang’s strategic planning probably has proceeded on the premise of immutable US nuclear advantages thus far, as the American superpower has adopted the robust posture since the early Cold War (Kroenig, 2018b: 2). North Korea does not hesitate to acknowledge the United States as ‘the largest nuclear weapon state’ while recognizing itself as ‘the youngest nuclear weapon state of the world’ (KCNA, 2010; United Nations Conference on Disarmament 2015: 3). The US advantages may have pushed North Korea toward an assured retaliation strategy, which does not require a superior nuclear arsenal and stands out in terms of feasibility, as explained earlier.

As the United States strives to extend its nuclear advantages further, North Korea will face rather stronger incentives to stick to its current strategy: the larger American advantages decrease the feasibility of the alternative postures – asymmetric escalation and brinkmanship – Pyongyang can consider. First, Washington’s enhanced denial capabilities can lower Pyongyang’s confidence in its second-strike capacity, thereby stimulating its efforts to build more and better strategic nuclear weapons. While increasing investments in strategic arms, Pyongyang will face resource-deficiency in developing tactical weapons for future asymmetric escalation or brinkmanship. In addition, as the United States strengthens its ability to preempt an attempted nuclear first use, asymmetric escalation or brinkmanship by North Korea will be less likely to succeed. Second, the projected reinforcement of US nonstrategic nuclear capabilities will make asymmetric escalation or brinkmanship even less effective, by raising the credibility of US threats to retaliate with nuclear arms against a North Korean nuclear first use.

All in all, the American and North Korean nuclear strategies are reasonable and mutually compatible. On one hand, given Washington’s relentless pursuit of nuclear advantages, the assured retaliation posture is probably the most feasible one for the DPRK and, therefore, the best way of adapting to a strategic environment shaped by the world’s most powerful nation. On the other hand, Washington’s robust nuclear posture is clearly feasible against the poverty-stricken DPRK. It is also desirable in that the posture discourages Pyongyang from switching to asymmetric escalation or brinkmanship, which could pose a greater threat to the United States and its allies (although this merit is modest considering the already low odds of Pyongyang ever adopting those threatening postures). These positive aspects of the robust posture more than compensate for the danger of vertical proliferation increased by its pressure on Pyongyang for strategic arsenal expansion.

#### Limiting conditions of activation for the defense pact hampers *strategic clarity*. That wrecks the *consistent signaling* necessary for deterrence.

Marianne PERON-DOISE North Asia Researcher @ Strategic Research Institute of the Military School ’20 “Deterrence and Dialogue: The US–South Korea Alliance in Search of a New Lease of Life in the Face of Kim Jong-Un’s “Nuclear Diplomacy”” in *Alliances and Power Politics in the Trump Era*, p. 163-181 | AS

The Impact of the Nuclear Posture Review (NPR) on the Concept of “Extended Deterrence” Around the Korean Peninsula

After 2006 and the unprecedented situation created by the first North Korean nuclear test, the decision was made by the South Korean– American alliance to adapt a strategy of deterrence with the creation of the Extended Deterrence Political Committee in 2010. In 2015, this committee incorporated a missile defense dimension to become the Deterrence Strategy Committee which led to the establishment of a consultation mechanism the following year—the Extended Deterrence Strategy and Consultation Group (DSC)—with the aim of considering security issues from a regional perspective.35 Paragraph 3 of the inaugural document clearly reaffirms the nature and scope of the United States’ commitment to its ally.

The United States reiterated its ironclad and unwavering commitment to draw on the full range of its military capabilities, including the nuclear umbrella, conventional strike, and missile defense, to provide extended deterrence for the ROK, and reaffirmed the longstanding U.S. policy that any attack on the United States or its allies will be defeated, and any use of nuclear weapons will be met with an effective and overwhelming response. In particular, the United States emphasized that it remains steadfast in meeting these enduring commitments and providing immediate support to the ROK.

The Trump Administration has continued these discussions, which have led to the revision of its nuclear doctrine. Published in February 2018, the Nuclear Posture Review proposed the development of new, low-power, tactical weapons, and appeared largely directed against China and Russia, although North Korea is repeatedly mentioned.36 Through its numerous references to the United States’ obligations toward its European and Asian allies, the document is part of a strong declaratory policy aimed at reassuring its allies and sending a dissuasive message to North Korea.37 It clearly takes into account the change in regional strategic balances resulting from developments in the North Korean ballistic and nuclear threat since Kim Jong-un took power in 2012.

As a new phase of uncertainty unfolds in the American–South Korean relationship, the alliance must define and implement a stance that prepares it for the worst-case scenario but also for the absence of a crisis while serving political–military objectives for the denuclearization of the peninsula. Translating this approach into a consistent narrative that can counterbalance North Korean discourse is not easy. If speaking too harshly would be counterproductive, an overly “euphoric” public diplomacy would not serve the Alliance’s objectives either. The latter needs a minimum of strategic clarity to operate effectively. However, it is apparent since the Singapore meeting that the term denuclearization does not have the same meaning for the Americans and the North Koreans. On the one hand, Washington defines denuclearization as the final elimination of all nuclear weapons or components with the dismantling of related sites and the establishment of a robust verification system. On the other, Pyongyang sees denuclearization as a gradual regional process involving the withdrawal of any American nuclear weapons system from the Korean peninsula, including the troops deployed there. This step-bystep approach, which is supported by China and Russia in the United Nations Security Council, also requires the integration of sanctions relief in response to North Korean “efforts.”

Since its establishment, the South Korean–American alliance has gradually strengthened its military capabilities while adding a strong political message, designed to illustrate an unwavering collective resolve. Its assets include a balance of conventional forces in its favor, long-range strike capabilities, missile defense, defensive cybersecurity capabilities and an adequate nuclear component. Washington maintains the capacity to deploy nuclear resources in the region, in particular through strategic bombers capable of influential action in the event of a political–military crisis scenario. It is especially committed to a nuclear posture based on broad-based deterrence.38 As we have seen, this major strategic commitment is based on a clear declaratory policy in which the United States reserves the right to use nuclear weapons when an ally’s vital interests are threatened.39 The two allies have shared this approach unequivocally so far, but North Korean nuclearization could lead Seoul to ask Washington to restore a permanent nuclear presence on its soil. In September 2017, the South Korean defense minister told a parliamentary session that he was considering asking Washington to redeploy nuclear weapons in South Korea. Similarly, a national debate could begin on the acquisition of nuclear resources for South Korean defense, but this debate remains marginal.40 Politicians and lawmakers in South Korea, most of them from conservative parties, have suggested that the country should produce its own nuclear arsenal while others consider South Korea should advance its capacity to make preemptive strikes. For the time being, most discussions in South Korean strategic circles focus more on the credibility and level of the US nuclear engagement.41 Opinions are being voiced comparing the terms and nature of the American commitment to South Korea with that to its European allies. The latter is considered more structured because it is codified by language built around the Alliance’s Strategic Concept, NATO’s 2010 Strategic Concept, which was updated in 2012 with the publication of the Deterrence and Defense Posture Review. It is also based on high-level public diplomacy, as it is supported by communiqués issued by the Organization’s biannual Summits attended by the leaders of the Member States.42 Ultimately, South Korea would like to enjoy a degree of American nuclear security guarantee similar to that provided to Washington’s European allies in the context of transatlantic relations.

#### First use is an *explicit* part of North Korean nuclear strategy. Absent *firm resolve* we’re willing to trade San Francisco for Seoul, they’ll strike.

Nick **KODAMA** Government PhD Candidate @ Georgetown **’20** “Threatening the Unthinkable: Strategic Stability and the Credibility of North Korea's Nuclear Threats,” *Journal of Global Security Studies*, p. 1-15 | AS

North Korean Nuclear Strategy

The rapid development of the DPRK’s ballistic missiles and nuclear weapons in recent years caught many observers by surprise. Because it was widely assumed that North Korea would take years before having a credible nuclear arsenal, the analysis on North Korean nuclear weapons has mostly been framed within a nonproliferation perspective. There were extensive debates over whether North Korea was developing nuclear weapons because of security concerns, for domestic legitimacy, for nuclear blackmail, or as a bargaining token in negotiations (Cha and Kang 2003; Park and Lee 2008; Cha 2009). Additionally, while there were extensive discussions about the potential effects of North Korea’s proliferation, there was relatively little discussion about how those nuclear forces may be employed.

However, in recent years, experts have turned towards examining how North Korea conceptualizes and operationalizes its nascent nuclear posture (Roehrig 2012; Narang 2015; Smith 2015). Most notable is the suggestion that North Korea is implementing a nuclear warfighting strategy. This strategy specifically involves using ballistic missiles against US allies and bases in Northeast Asia to halt an initial attack while maintaining ICBMs in reserve to compel the United States into backing down from further escalation. Signs that North Korea was adopting and operationalizing this particular nuclear strategy started to emerge as early as 2013.

While it may be tempting to dismiss North Korean state media’s rhetoric as mere bluster, these statements warrant closer scrutiny. In 2013, the state-run Korean Central News Agency (KCNA) reported the adoption of the Law on Consolidating the Position of Nuclear Weapons State for Self-Defense by the Supreme People’s Assembly of the DPRK. This law declared that North Korea’s nuclear weapons “serve the purpose of deterring and repelling the aggression and attack of the enemy against the DPRK” (KCNA 2013d). The authority to launch a nuclear strike was explicitly given to the Supreme Commander of the Korean People’s Army (KPA)—Kim Jong Un—“to repel invasion or attack from a hostile nuclear weapons state and make retaliatory strikes” (KCNA 2013d). This strategy has been reiterated by North Korean officials and state media on multiple occasions since the adoption of this law. For example, following President Donald Trump’s threat to unleash “fire and fury” on North Korea, KCNA noted that “to thoroughly neutralize and wipe out all troops and means to be involved in invasion through preemptive actions is the consistent operation mode of the revolutionary forces of the DPRK” (KCNA 2017a). Additionally, the law and its aforementioned strategy were mentioned in response to a large US-South Korean aerial military exercise in December 2017 (Rodong Sinmun 2017a).

Throughout 2013, North Korean state media also made frequent reference to the KPA Strategic Rocket Force and the targets it would strike in the event of a war. The Strategic Rocket Force was originally founded in 1999 as the Missile Guidance Bureau, but upon its renaming in 2012 it was elevated to the same status as the other services in the KPA (Choi and Grisafi 2016; KCNA 2016b). On March 29, 2013, KCNA reported that Kim Jong Un examined and ratified a plan so that the KPA Strategic Rocket Force may “strike [at] any time the US mainland and its military bases in Hawaii, Guam, and South Korea” (KCNA 2013a). Three days later, state media warned that “all the field artillery units including strategic rocket units and long-range artillery units have the capability to blow up the US mainland and its bases in operational theaters in the Pacific as well as all the enemy targets in South Korea and its vicinity [in] an initial strike if war breaks out” (KCNA 2013c). Notable in these statements is the explicit threat of first use of North Korea’s nuclear weapons and ballistic missiles in a crisis.

Implementing this strategy requires ensuring that North Korea’s ballistic missiles are protected from preemptive counterforce strikes but also able to deploy rapidly in a crisis. To that end, North Korea has deployed its land-based ballistic missiles on mobile transporter erector launchers (TELs) and recent open-source imagery analysis suggests that these TELs are sheltered in a vast network of missile-operating bases hidden across North Korea’s mountainous terrain (CSIS Beyond Parallel 2018). In the event of a severe crisis (or in preparation for a conflict), North Korea would likely disperse its TELs from these bases to pre-surveyed launch sites in the area. Additionally, with the Pukkuksong-1 and -2, North Korea has begun the development of solid-fueled missiles. Unlike their liquid-fueled counterparts, solid-fueled missiles do not need to be fueled immediately prior to launch, significantly reducing the time available for an adversary to detect launch preparations and destroy them in a preemptive strike.

The possession of ICBMs is another key component of North Korea’s efforts to deter the United States. In the event of a severe crisis, North Korea may seek to launch a first strike against regional targets while holding its longer-range ballistic missiles in reserve to threaten a “third strike” against the US mainland in order to deter a US retaliatory second strike. This overall strategy of holding longer-range, strategic nuclear weapons in reserve parallels the nuclear doctrines of two other nuclear powers, Cold War-era France and Pakistan.2 North Korea has an added advantage in that it can use its ICBMs to exploit one of the key vulnerabilities in the US nuclear umbrella: the risk of alliance decoupling. One of the central challenges of extended deterrence is that it requires the United States to willingly enter into a nuclear war to defend an ally. Doubts during the Cold War over the credibility of US nuclear commitments led to Charles de Gaulle’s famous question of whether the United States was willing to trade New York for Paris. Similarly, North Korea may try to leverage its ICBMs to sow doubts over whether the United States would be willing to retaliate against a North Korean attack on Japan or South Korea if it means that a US city would be attacked.

#### Crisis instability arguments are highly exaggerated and conventional forces are sufficient to trigger their impacts.

Lanoszka and Scherer, 18 - Assistant Professor, Department of Political Science Fellow, Balsillie School of International Affairs University of Waterloo. \*PhD Candidate, Princeton University Politics Department (Alexander and Thomas Leo, Nuclear ambiguity, no-first-use, and crisis stability in asymmetric crises, The Nonproliferation Review, 24:3-4, 343-355.)

The downward spiral

The first pathway that makes AFU dangerous arises from features of the classic security dilemma through the “spiral model.” In the downward-spiral pathway, the adversary pursues measures to increase its strategic capabilities because it fears a first strike by a nuclear-armed major power. These measures can include a launch-on-warning posture, raising alert levels, or pre-delegating launch authority. The adversary intends for these actions to deter a nuclear first strike by reducing the major power’s ability to eliminate the adversary’s strategic capabilities outright. Although defensive motives underlie these actions, the major power may misinterpret these actions as preparations for an offensive strike.30 Apprehensive of an imminent attack, the major power may proceed with the preemptive attack that the adversary had originally feared. Thus, NFU advocates argue that, if the United States credibly declares NFU, adversaries would be less inclined to take the destabilizing escalatory measures described above. Because ambiguity in military postures may precipitate spiral effects, NFU would clarify US intentions and discourage states from acting upon worst-case assumptions.31

In making this argument, NFU proponents must show that the payoffs are such that the major power and the weaker adversary would both have incentives to escalate. Consider the Prisoner’s Dilemma, whose incentive structure appears in Table 1. The reason that each prisoner is expected to defect is that this action constitutes the better response to either action undertaken by the other party. By cooperating, for example, a prisoner risks accepting the sucker’s payoff if the other chooses to defect.

Now consider a variation of the Prisoner’s Dilemma in which each actor faces the choice of whether to adopt a strategic posture that could be perceived as aggressive. Specifically, the major power chooses between adopting AFU and a credible NFU, whereas the adversary chooses whether to adopt measures to increase second-strike capabilities. We assume that the major power is more likely to attack if the adversary adopts those measures to increase second-strike capabilities.

The question then concerns whether the weaker adversary will escalate. This choice depends on the war payoffs, defined as the probability of victory times the value of the prize, minus the cost of war. As we are concerned about a war that neither side desires, we assume that peace payoffs for both sides are greater than any war payoff for either side. The adversary then should only escalate if the additional risk of costly war is offset by improved war payoffs.

Yet two other assertions by NFU supporters suggest that the war payoffs **do not vary** with the major power’s decision to declare NFU or not. The first assertion is that AFU is unnecessary because the United States enjoys such conventional military superiority that it can prevail in any armed conflict without the use of nuclear weapons.32 The second assertion is that “the threat to use nuclear weapons first may lack credibility in the minds of many current and potential adversaries.” 33 AFU lacks credibility to the point that adversaries may feel sure that the major power will not use nuclear weapons. Both assertions imply that the adversary’s war payoffs remain **unchanged** if the major power chooses NFU. By the first assumption, the adversary will **lose regardless** of nuclear policy thanks to US conventional military superiority. By the second, the adversary has already calculated that nuclear weapons will not be used, again regardless of nuclear policy.

Thus, by the assertions made by NFU advocates, the downward-spiral pathway is **not possible**. For a rational adversary to take only such survivability measures under AFU, it must believe that these measures are beneficial against a nuclear strike but not against a conventional strike. The downward spiral is only a valid concern if the adversary’s payoffs decrease in the event that the major power declares AFU. A scenario that features this payoff structure could be one in which the adversary escalates due to the belief that its forces are more vulnerable to a nuclear strike than to a non-nuclear strike. In such a case, pre-emption to limit damage may be the best option. However, the destructive power of conventional military weapons (especially in the US arsenal) in the contemporary world makes this scenario debatable. It is thus unclear how the adversary’s incentives to escalate should change when facing different nuclear policies.

Accidental war

The accidental-war pathway resembles the downward-spiral pathway, but it is instead predicated on organizational and human fallibility. In this situation, the adversary takes measures to increase the survivability of its forces and deter an attack by the major power.34 These measures may include bringing weapons closer to launch by raising their readiness and adopting a launch-on-warning posture, as well as policies to prevent leadership decapitation, such as pre-delegating launch authority. By implementing them, the adversary raises the probability of accidentally launching an attack. This unintentional first strike can occur in the presence of uncoordinated decision making, poor information flows between various government departments, technical failures, or even rogue bureaucratic agents acting without authorization from top leadership.35 Had the major power credibly declared NFU, the adversary would not undertake the risky measures that could produce the accident.

**But**, for a rational adversary to take only such survivability measures under AFU, it must believe that these measures are beneficial against a nuclear strike **but not** against a conventional strike. We can apply the **same logic as before**, the difference being that the probability of war represents an accidental initiation by the adversary. We can say that AFU may be dangerous, but under conditions of overwhelming conventional superiority we can also say that NFU may be dangerous.

We are not arguing that crisis fears cannot produce accidental war. Other explanations of accidental war are quite compelling, but they differ in two ways from the pathway outlined here.36 First, the adversary’s fear springs not from US nuclear doctrine per se, but rather from US counterforce capabilities. Indeed, growing evidence from the Cold War suggests that the Soviet leaders grew apprehensive of these capabilities in the 1980s.37 Second, the adversary’s measures are able to increase survivability. With these stipulations, the threat of any kind of first strike is dangerous.

Use-it-or-lose-it

The previous two pathways considered an intentional attack by the major power and an accidental strike by the adversary, but what if the adversary intentionally strikes first? If the adversary is convinced that a major power will attempt a disarming first strike, perhaps with nuclear weapons, an adversary could choose to attack first. This desperate, use-it or-lose-it attack occurs when the adversary believes that it will suffer similar costs regardless of whether it strikes first. In this scenario, the indifferent adversary becomes just as likely to launch an attack, or perhaps even more likely if it believes it could inflict enough pain to get the major power to stand down. If the major power declares NFU, however, then its adversary would not fear a disarming strike and would not feel the need to use its weapons while it still can.38

A hypothetical example true to this pathway highlights the scope conditions. Imagine a weak state deciding whether to use its weapons before it would lose them in a war with a major power. Its choice involves whether to use them. If the adversary uses them, then war occurs. If they are unused, then the major power attacks with some probability less than 1 and again war occurs; otherwise, no conflict occurs. If war has the same the payoff for the weak state regardless of whether it attacks first, then the weak state will not attack. Put differently, the use-it-or-lose-it pathway requires that the weak state believe that an attack by the major power is absolutely certain.

The use-it-or-lose-it pathway confronts the **same logical problem** as the downward-spiral pathway in terms of the assertions made by NFU supporters. If nuclear weapons are unnecessary for the major power to prevail, as some NFU supporters claim, and if AFU lacks credibility such that the adversary disregards it, then why would that same adversary feel pressure to “use it or lose it” against an NFU state and not an AFU state**?**39 The argument that AFU is unnecessary **contradicts** the argument that AFU is dangerous. The weak state is ultimately choosing between **likely annihilation** if it does not attack first and **certain annihilation** if it does. Why would it ever choose the certain suicide of the latter remains unclear.40

We may suppose that if a weaker adversary believes that it is about to be hit first with nuclear weapons and wiped out, then it may take a chance on striking first to try to inflict pain on the major power in order to compel that major power to back down. But why would the major power back down if the adversary has already expended its arsenal, making it more vulnerable to a devastating riposte? There are cases where the weak state tried to impose costs against a stronger opponent to compel the major power to back down, such as Iraq in the 1991 Gulf War, as we discuss later. However, in these cases, the weaker state does not attempt to impose costs until after the major power has initiated the conflict. Once the conflict has started, the adversary indeed has nothing to lose by attacking, but until then the adversary will have much to lose.

These points raise an interesting question: might a weak state choose to attack first and sacrifice the possibility of better material outcomes for some emotional or psychological utility gained by imposing costs on the major power. Though plausible, such an assumption raises the additional question of whether the state can enjoy this immaterial benefit if it has successfully self-destructed. Similarly, in the event that the state somehow survives the conflict, would it still receive the same benefits?

The use-it-or-lose-it pathway is thus **empirically very rare**. One study finds that preemptive wars—that is, wars either fought to exploit military advantages before they disappear or caused by fear of surprise attack—**“almost never happen.”** 41 In the nineteenth and twentieth centuries, cases that seem prima facie to have been pre-emptive wars were World War I, China’s entry into the Korean War, and the 1967 Arab–Israeli War. Although World War I does not meet the asymmetrical conditions that our analysis emphasizes, it suggests that use-it-or-lose-it pressures embodied by mobilization schedules can exist in a purely conventional world, where nuclear doctrines are absent. Still, the case of the United States and China in 1950 better approximates the asymmetrical conditions explored by our analysis. According to the pre-emptive-war version of events, China intervened in the Korean War out of concern that the US-led forces moving toward the Yalu River were striving to reunify the peninsula under non-Communist control. By taking over all of Korea, these forces would pose an imminent threat to China’s security.42 Yet Chinese decision makers were not necessarily facing a use-it-or lose-it conundrum even in this case. Other motivations—promoting the world Communist revolution and forestalling an indefinite US presence on the border—were also present.43 To be sure, China did go on to acquire nuclear weapons, but the evidence suggests that it did so in order to be self-reliant following its dissatisfaction with the support it was receiving from the Soviet Union during the 1950s.44

Of course, just because something has not happened before does not mean that it could never happen. Nevertheless, if we believe that the use-it-or-lose-it pathway is possible, then the fundamental inconsistency in the argument that AFU is dangerous remains. We must believe that the adversary’s incentives to strike first under AFU will **reverse** if the United States declares NFU, as in the instance where the adversary believes that its armaments could survive a conventional first strike but not a nuclear first strike. Though that is possible, it again goes against arguments made by NFU advocates that the first use of nuclear weapons would provide no tactical benefit to the United States.45 Indeed, when other scholars discuss the adversary’s use-it-or-lose-it incentives, the adversary is presumed to fear a result of any likely US first strike or effort toward regime change, regardless of whether nuclear weapons are used.46 Nuclear weapons may even be a moot point if the strong state is unwilling to use them for normative reasons but maintains its conventional military superiority.

#### US denuclearization efforts are incredible:

#### Lack of sustained cooperation

Lee, Poli Sci PhD, ’20 [Dong Sun, Professor of Political Science and IR @ Korea University, PhD in Political Science @ University of Chicago, Iordanka Alexandrova, Professor in Peace and Democracy Institute @ Korea University, PhD in Political Science and IR @ Korea University, and Yihei Zhao, Post-Doctoral Researcher in School of International and Public Affairs @ Shanghai Jiao Tong University, PhD in Political Science and IR @ Korea University, “The Chinese failure to disarm North Korea: Geographical proximity, US unipolarity, and alliance restraint,” *Contemporary Security Policy* (2020): 1-23, DFU | AS]

The self-confident American unipole with a unique sense of obligation came to take charge of resolving the North Korean nuclear issue. The Clinton administration took the lead and pursued direct negotiations with North Korea to resolve the first nuclear crisis. Although the Bush administration was ostensibly different, in that it turned to multilateralism, Washington likewise led the SPT as Beijing, Seoul, Tokyo, and Moscow played subsidiary roles. Crucial negotiations took place bilaterally between the United States and North Korea. Obama’s approach also was no different from Bush’s in this regard.

The U.S.-led efforts had a low chance of success from the outset. American diplomatic leadership meant that successful completion of denuclearization agreements presupposed sustained cooperation between two states sharing a long history of animosity (Lee, 2017, pp. 4–5). As Mearsheimer (2001) points out, “Cooperation is sometimes difficult to achieve and always difficult to sustain” (p. 51). Difficulty reaches its peak when old enemies harboring deep-seated distrust seek sustained cooperation. Washington and Pyongyang naturally had numerous sceptics who approved cooperation in principle, yet doubted the other side’s trustworthiness. To tame such deeprooted prejudices, the two parties had to repeatedly provide each other with unquestionable assurances. Nevertheless, the credibility of these assurances could be undermined by minor signs of possible defection (Knopf, 2012, p. 27).

#### North Korea distrusts commitments and cheats

Lee, Poli Sci PhD, ’20 [Dong Sun, Professor of Political Science and IR @ Korea University, PhD in Political Science @ University of Chicago, Iordanka Alexandrova, Professor in Peace and Democracy Institute @ Korea University, PhD in Political Science and IR @ Korea University, and Yihei Zhao, Post-Doctoral Researcher in School of International and Public Affairs @ Shanghai Jiao Tong University, PhD in Political Science and IR @ Korea University, “The Chinese failure to disarm North Korea: Geographical proximity, US unipolarity, and alliance restraint,” *Contemporary Security Policy* (2020): 1-23, DFU | AS]

The United States remained suspicious and adopted approaches that hindered a diplomatic solution. American policymakers held prejudices against North Korea. The most notable was the stereotype of a deceitful rogue state, which originated from a long history of hostility. Therefore, skepticism persisted in Washington from the beginning of nuclear diplomacy. A distrustful United States demanded major concessions—for example, dismantling a uranium enrichment program—from North Korea up front, before providing sizable inducements. This was a tough sell for North Koreans who feared possible cheating by Washington (Hong, 2004; Ko & Shin, 2013). North Korea’s concern was revealed when a then DPRK Vice Foreign Minister asked: “Where there is no trust, how can we give up our weapons first?” (Pritchard, 2007, p. 132). The United States also prioritized thorough verifications on North Korea’s compliance. As then Assistant Secretary of State James Kelly testified before the Senate Foreign Relations Committee in 2003, many believed that “diplomacy can work,” but because “the North could not be trusted,” a resolution would require Pyongyang “to accept a reliable, intrusive verification regime, including declaration, inspection, and irreversible and verifiable elimination” (U.S. Department of State, 2003). Summing up the position of the negotiators during a 2007 breakthrough in the SPT, then Secretary of State Condoleezza Rice said, “If we are unable to arrive at a satisfactory verification regime, we would obviously not continue” (Hill, 2014, p. 278). Pyongyang viewed exhaustive verifications as veiled espionage for possible preventive strikes and put up stubborn resistance.

North Korea was equally distrustful and took stances that complicated the diplomatic process. Its perception of the United States as an aggressive imperialist aiming to overthrow its leadership remained unchanged for decades. The weaker Pyongyang could not consider disarming itself without worrying about the danger of being “beaten to death” like Iraq or being bombed like Yugoslavia (Chung, 2016, pp. 89–90; Funabashi, 2007, p. 126; Oberdorfer & Carlin, 2014, p. 329; Pritchard, 2007, p. 38). In addition, the policy changes taking place under every new American administration— most notably, the Bush government’s scrapping of the Agreed Framework —reinforced its concerns about the unreliability of American promises (KCNA, 2010; Pritchard, 2007, p. 2). Pyongyang doubted the credibility of U.S. security assurances—unwritten statements in particular (Cha, 2012, p. 298, 304). Accordingly, it demanded Washington send costly signals to demonstrate its trustworthiness. A North Korean negotiator once stated, “You ask for action, but only offer words. You need to end your hostile policy, … you have to change your own laws and regulations to show the U.S. does not have a hostile policy” (Chinoy, 2008, p. 311). North Korea employed a “backloading” tactic, which initially sought to make only easily reversible minor concessions, gradually moving on to more significant ones (Han, 2017, p. 92). This approach amplified Washington’s apprehension that after easing off pressures and garnering resources through temporary partial implementation of denuclearization deals, Pyongyang would cease cooperation and resume nuclear armament. Pyongyang often demanded major compensations (such as diplomatic normalization) before denuclearization (“Buk ‘bosang haegyeoldwaeya haekdonggyeol’”, 2004; Pollack, 2011, p. 160). Most crucially, Pyongyang sought to retain some nuclear capabilities in case Washington reneged on commitments to regime security. With its plutonium program frozen under the Agreed Framework, North Korea initiated a clandestine uranium enrichment program. Despite disabling some facilities at Yongbyon in 2007, Pyongyang did not fully disclose its other facilities and stockpiles of produced fissile materials and weapons.

#### No Korean war, but ONLY because of deterrence.

Dong Sun **LEE** IR @ Korea University **AND** Iordanka **ALEXANDROVA** Peace and Democracy Institute @ Korea University **’19** “North Korean nuclear strategy: envisioning assured retaliation,” *International Relations of the Asia-Pacific*, p. 1-30 | AS

It is probable that Pyongyang has adopted an assured retaliation posture partly due to its superior feasibility: North Korea has reasons to believe that a modest nuclear arsenal suffices to credibly threaten unacceptable damage on the United States.

On one hand, Pyongyang possesses effective nonnuclear deterrence capabilities that can impose a substantial cost (Debs and Monteiro, 2017: 287, 293). The Korean theater of operation contains numerous military and geographical features that hamper effective maneuver (Lee, 2006: 6–8). The DPRK has deployed more than 1 million troops along its 250-km border with the ROK (O’Hanlon and Mochizuki, 2003: 63). Therefore, the overall force-to-space ratio is sufficiently high. The North Korean defense comprises multiple broad echelons and large mobile reserves. An elaborate network of underground fortifications provides effective cover and concealment for the forces. The northern part of the Korean peninsula also contains major mountains and rivers. The US forces, even in concert with the ROK military, would face serious difficulty in penetrating the dense defense-in-depth reinforced by these artificial and natural obstacles. In addition, both flanks of North Korea are protected by the seas, and these coastlines are heavily guarded with mines, submarines, and anti-ship missiles. The western shoreline with vast tidelands and the rocky eastern shoreline are also unsuitable for large-scale amphibious assaults. Therefore, the US forces would find it difficult to outflank the DPRK defense. The United States, unable to penetrate or outflank the North Korean defense swiftly, could not but conduct a month-long attrition campaign.4 Although the US forces could eventually prevail, their pyrrhic victory would be unworthy of staggering costs. Such a grim prospect tends to deter most countries, and the United States has historically been no exception (Mearsheimer, 1983).

Forward-deployed long-range artilleries and rocket launchers, which the KPA could unleash on the proximate, densely populated Seoul, make the prospect even grimmer (by threatening massive civilian casualties and economic losses) and render deterrence more robust (Cha, 2012: 219; Roehrig, 2012: 83; Warden, 2017: 20). Adding to the effects are biochemical weapons and short-range missiles that Pyongyang could employ against US soldiers and civilians stationed in South Korea (Cha, 2012: 233; Parachini, 2018). For all of the US-ROK investments in high-tech countermeasures, such as missile defense, counter-artillery radars, and bunker busters, Pyongyang’s nonnuclear deterrence capabilities that make the most of its permanent geographical advantages remain quite robust.

### 1NC — Adv 2

#### Threats inevitable – defending korea, and the US west coast trigger the impact and we can threaten outside of alliances.

#### Preemption norms are dead.

Patrick **TERRY** Law @ Univeristy of Public Administration Kehl (Germany) **’19** “The Return of Gunboat Diplomacy: How the West has Undermined the Ban on the Use of Force” *Harvard Naitonal Security Journal* p. 147

IV. Conclusion

Right-wing interventionists and liberals across the West have converged and are in the process of shattering the far-reaching ban on the use of force introduced after WWII. Attempts at modifying the law on self-defense are in danger of rendering the far-reaching ban on the use of force ineffective. This in turn encourages states to increasingly seek military solutions to crises, as a plausible excuse can always be found. Neither the imminence criterion nor the “armed attack” threshold are seen as obstacles to an ever-expanding right to resort to the use of force. Combined with further exceptions in cases of humanitarian crises or possibly even “illegitimate” governments, these developments are in danger of recreating a situation reminiscent of the era prior to WWI—a situation in which international law no longer effectively regulates the use of force. Not only does this allow states to revert to war in an increasing number of cases, but it also encourages states to aggressively increase their military expenditure in order to avert an outside intervention, thus increasing the likelihood of conflict.

A legal system, whether domestic or international, can only function when there are few and narrow exceptions to the general rules. Once the floodgates are opened by allowing ever more ill-defined exceptions, often based on fabricated or at least dubious facts, the basic and general rule of law breaks down. The result is a return to an increasingly lawless 19th century-like rule of the powerful, accompanied by anarchic tendencies within the international community. As the attacks in Syria in 2017 and April 2018, both generally supported in the West, illustrate, the West is increasingly prepared to completely ignore international law when resorting to the use of force.429 Not surprisingly, this dismissive attitude of the law is being exploited in places as disparate as the Arab peninsula, the territory of the former Soviet Union, and large parts of Africa. Gunboat diplomacy seems to be resurgent. The question remains whether the West will not live to regret being the main initiator of this development. 429

1. **Other countries won’t model preemptive strike. Zero evidence supports this.**

**Miller & Payne 16** - Principal of The Scowcroft Group & president and co-founder of the National Institute for Public Policy. \*Professor at Missouri (Franklin C. and Keith B., The dangers of no-first-use, August 22nd, https://thebulletin.org/2016/08/the-dangers-of-no-first-use/)

In light of this, adopting a policy of no-first-use would have to bring powerful benefits to offset the likely harm done to stability. What might these be? Advocates of a US no-first-use policy claim that US adoption of no-first-use would lead other nuclear powers to similarly do so, and thus contribute to nuclear stability. In truth, however, **there is zero evidence** that US adoption of a no-first-use policy would lead others to mimic the United States. The idea that the rest of the world follows the United States in this way **is itself outdated**, **arrogant**, **and contrary to considerable evidence**. The failure of President Obama’s Prague Agenda to convince Russia, China, India, Pakistan, North Korea, or other nuclear powers to reduce the role nuclear weapons play in their respective security policies is a powerful testament to this fact. Russia by its own open statements is now committed to a policy of coercive and unambiguous nuclear first-use threats and possible employment to support an expansionist agenda in Europe—which means it hardly would follow a US **n**o-**f**irst-**u**se agenda. Indeed, a senior Russian official recently responded to US arms control overtures by observing that Russian nuclear policies are driven strictly by Russian security needs, not by “mythical universal human values.” Other nuclear powers similarly pursue their own paths and “do not seek to emulate” the United States. And, based on China’s own open statements about its potential use of nuclear weapons, China’s existing supposed no-first-use policy is wholly ambiguous and uncertain; China cannot seriously be considered to have a no-first-use policy. In 2009, the high level and bipartisan Congressional Strategic Posture Commission, also known as the Perry-Schlesinger Commission, concluded that the United States should not adopt no-first-use. In 2010, the Obama administration’s own Nuclear Posture Review reached the same conclusion. Since then, the international security situation has deteriorated. The spectrum of military threats to the United States and our allies has expanded considerably as Russia and China have pursued military buildups and aggressive policies in Europe and Asia respectively. US adoption of a no-first-use policy now would only reflect willful US detachment from these global realities, and would be perceived as such by friends and foes alike.

1. **America is not a "norms entrepreneur.” The collective action problem prevents effective internalization.**

**Knopf, 18** - professor at the Middlebury Institute of International Studies at Monterey, chair of the M.A. program in Nonproliferation and Terrorism Studies (Jeffrey, After diffusion: Challenges to enforcing nonproliferation and disarmament norms, *Contemporary Security Policy*, Vol. 39, Issue 3, February 9th, pages 367-398)

A second challenge that **complicates efforts to enforce** international **norms** is the well-known **collective action problem** (Olson, 1965). In many cases, effective enforcement will require the participation of more than one actor. Unless one state has unusual economic leverage, for example, economic sanctions usually **require multilateral enforcement** to be effective. Otherwise, the target state can evade sanctions by trading with those states that choose not to participate in the sanctions effort. **Even military enforcement** often **depends on** the involvement of **multiple states**. Take the U.S.-led invasion of Iraq in 2003 for example. Although often seen as a case of U.S. unilateralism, this is not entirely accurate. The United States relied on earlier UN Security Council resolutions for legal justification, so at minimum the United States needed other members of the Security Council to have voted in favor of relevant resolutions. It also sought a so-called second resolution that would have explicitly authorized the use of force, and the U.S. failure to obtain Security Council passage of this authorization reduced international support for the U.S.-led operation (Thompson, 2009). In addition, the United States sought to enlist other partners in the “coalition of the willing” that conducted the military operation. The United States could have gone it alone if it chose to, but it clearly had a strong preference to obtain as much legitimacy as it could from the presence of coalition partners. In short, effective unilateral enforcement is likely to be **rare**; norm enforcement will typically be more effective as a multilateral enterprise.

**Multilateral cooperation is not automatic** however. By the familiar logic of collective action, states will be tempted to **free ride** on the enforcement efforts of others. As long as others enforce the nonproliferation or disarmament norm in question, free riders still enjoy the benefits. But free riders do not have to pay the costs of enforcement, in trade forgone, in diplomatic frictions with the target or its friends, or in potential casualties should military force come into play. If all states give in to the temptation to free ride, however, then **effective enforcement will not happen.**

In some cases, a lack of participation in collective action may arise less from states deliberately free riding than from a **lack of consensus** about whether or not a particular state is actually violating a particular norm. There can be ambiguity about the standards for ascertaining norm compliance or about the evidence of a violation. When this occurs, states can come to **different interpretations** of whether the situation even calls for an effort at enforcement (for examples involving NPT safeguards, see Goldschmidt, 2010) The end result will be similar to when free riding occurs, in that many **states will choose not to join in collective action**.

The collective action problem is accentuated by **global power asymmetries**. The **U**nited **S**tates is so much more powerful than most other states, and has demonstrated such an obvious commitment to enforcing nonproliferation in certain cases, **that other states may hope that the** **U**nited **S**tates **will shoulder the entire burden** of enforcement. This creates an especially strong temptation to free ride. To the extent that the **U**nited **S**tates cannot on its own bring about **norm compliance**, however, the collective action problem will become a major barrier to enforcement of nonproliferation norms.

1. **India will never give up NFU**

Abhijnan **Raj 17**, a Fellow at the Observer Research Foundation, New Delhi, "India is Not Changing its Policy on No First Use of Nuclear Weapons", War on the Rocks, https://warontherocks.com/2017/03/india-is-not-changing-its-policy-on-no-first-use-of-nuclear-weapons/

Everything you know about South Asian pink flamingos is false, **a prominent nuclear-weapons expert has recently warned**. Pakistan’s expanding nuclear arsenal has been a matter of considerable concern to the international community in the recent years. Its adoption of short-range, low-yield tactical nuclear weapons in the face of India’s conventional military superiority have pointed to the possibility where Pakistan uses a nuclear weapon against Indian conventional armed forces to stave off imminent military defeat. “This is how nuclear first use would unfold in South Asia, right? Well, maybe not so fast,” wrote **Vipin Narang**, a professor at MIT, in a set of remarks prepared for the recent Carnegie International Nuclear Policy Conference. Narang made a startling claim: There is increasing evidence that India will not allow Pakistan to go first. And that India’s opening salvo may not be conventional strikes trying to pick off just Nasr batteries in the theater, but a full “comprehensive counterforce strike” that attempts to completely disarm Pakistan of its nuclear weapons so that India does not have to engage in iterative tit-for-tat exchanges and expose its own cities to nuclear destruction. The possibility that India might use nuclear weapons first **directly contradicts** the **key pillar** of Indian nuclear thinking since the publication of its official nuclear doctrine in 2003: **a no first-use policy**. Successive prime ministers — including Narendra **Modi**, not exactly a dove — have **affirmed this.** Indeed, a major revision of India’s public doctrine will **fly in the face of its long history** as a reluctant nuclear power. On the other hand, the **evidence** Narang marshals to support this astounding claim is **scant** and centers around a **couple of paragraphs** from a book by a former Indian national security advisor Shivshankar Menon who retired three years ago, **before Modi came to power.** Despite Narang’s claims, we still **do not have sufficient evidence** that India has reversed its no first-use policy or — for that matter — any other major tenets in its public nuclear doctrine. Indeed, at a time when there are growing calls inside India to revisit its nuclear doctrine, it is worth keeping in mind that India’s doctrine already allows considerable space for innovation. As Menon put it to a journalist, “India’s nuclear doctrine has far greater flexibility than it gets credit for.” In other words, India’s extant doctrine can absorb the consequences of future Pakistan-related contingencies without any major changes. Restraint and Resolve in India’s Nuclear Doctrine India’s nuclear weapons strategy is simple. By relying on a minimal arsenal for deterrence, India offers a credible threat of a massive retaliation against an adversary that strikes first with nuclear weapons. India’s commitment to nuclear deterrence (as opposed to compellence, the other tool of strategic coercion) rules out threats of nuclear use to shift the course of a conventional conflict. Indeed, India’s a no first-use stance should be read as a pledge to not use nuclear compellence as an instrument of statecraft. India’s nuclear arsenal is as small as it can be to make the threat of a massive retaliation as credible as possible. As such, the size of the arsenal will vary with time depending on the requirements of credibility, a fact that was emphasized by a former Indian foreign minister. What makes a deterrent strategy effective? It is, argues the Nobel-winning game theorist Roger Myerson, a combination of “restraint” and “resolve” in pursuing the same. Following Thomas Schelling, Myerson defines restraint as a “reputational commitment to act cooperatively” in pursuit of a deterrent strategy. Resolve, for Myerson àpres Schelling, is a similar commitment, but to act aggressively when deterrence demands it. India’s public doctrine — in what it says and what it does not — seeks to do both. It is a statement of restraint in two ways. First, it conveys the impression that India is a responsible nuclear power with a public pledge to not use nuclear weapons first. Second, by explicitly laying down India’s nuclear red-lines coupled to its no first-use pledge, India effectively promises any adversary that it will cooperate in terms of not using nuclear weapons first — as long as the adversary too chooses to do the same by not crossing those redlines. But the doctrine is also a statement of resolve in that it deliberately does not spell out what follows deterrence failure beyond a promise of some kind of massive retaliation. Regarding the targets of such a retaliation, India’s public nuclear doctrine is ambiguous. If India leaves out the exact details of its retaliatory response, potential adversaries will imagine the “worst” possible outcome. Taking Pakistan as an example of an adversary, what “worst” means in Islamabad’s mind alone and could change during the course of a conflict. Indeed, both India and Pakistan may have different conceptions of what the latter values the most, and hence wants to protect. For example, India might think Pakistan values its population centers the most, but Islamabad may in fact value its “crown jewels” more. Therefore, if India was to keep its retaliatory responses ambiguous beyond the fact that there will be a massive response, its commitment to act aggressively — India’s resolve — will be enhanced in Pakistan’s mind, irrespective of whether India has any intention of doing what Pakistan thinks it would. Indeed, as Lawrence Freedman put it, “To Schelling the value of nuclear weapons lay in the persuasive threat they posed to an adversary, even if little of value could accrue to oneself by implementing this threat.” What matters is that Pakistan now has to consider a range of retaliatory responses from India. On the other hand, if India was to promise Pakistan a fixed response, but Pakistani leaders did not believe it, Islamabad may be tempted to ignore India’s threats of what follows should deterrence break down. “Massive” Retaliation or “Massive Retaliation”? Narang’s claim that India’s no first-use posture may be eroding follows from his interpretation of a recent book by a highly-respected former Indian national security advisor Shivshankar Menon. It that capacity, Menon was a member of the executive council of the Nuclear Command Authority, the highest non-political body that supervises India’s nuclear weapons and their potential deployment. As such, he must have been privy to India’s choice of second-use targets should deterrence fail. In Choices: Inside the Making of India’s Foreign Policy, Menon devotes a chapter to India’s nuclear weapons doctrine and posture. The general thrust of his argument becomes clear from the title of that chapter alone: “**Why India pledges no first use of nuclear weapons**.” He indeed goes to justify and defend the thinking behind a no first-use pledge, and the foreign policy circumstances that shaped it. The passage that caught Narang’s attention lies a few pages into the chapter: What would be credible would be the message India conveyed by how it configures its forces. If Pakistan were to use tactical nuclear weapons against India, even against Indian forces in Pakistan, it would effectively be opening the door to a massive Indian first strike, having crossed India’s declared red lines. There would be little incentive, once Pakistan had taken hostilities to the nuclear level, for India to limit its response, since that would only invite further escalation by Pakistan. India would hardly risk giving Pakistan the chance to carry out a massive nuclear strike after the Indian response to Pakistan using tactical nuclear weapons. In other words, Pakistani tactical nuclear weapons use would effectively free India to undertake a comprehensive first strike against Pakistan. His use of the phrase “comprehensive first strike” is indeed striking (forgive the pun). A first strike in nuclear strategy means something very specific: a disarming nuclear weapons attack that severely degrades the adversary’s ability to retaliate with the same. In other words, a comprehensive first-strike is a “counter-force” strategy aimed at the adversary’s nuclear arsenal and not its population centers. **But** it is clear from the paragraph that **Menon is talking about a second strike**, the first being Pakistan using a tactical nuclear weapon against Indian forces. So why the use of the word “first”? One explanation is that this is a problem with how one counts attacks and counter-attacks. If you do not count the hypothetical tactical nuclear weapons use by Pakistan that marks deterrence breakdown as first-use, and instead focus on a possible Pakistani response to an Indian massive retaliation, then this a scenario with two steps: India’s retaliation and Pakistan’s (possible) counter-retaliation. If you do count the tactical nuclear attack as a first use, then your deterrence calculations should factor the possibility of a third use of nuclear weapons by the adversary, as Menon says it must.

1. **Pakistan will pursue a strategy of nuclear deterrence.**

**Ahmed, 16** - Stanton Nuclear Security Junior Faculty Fellow at the Belfer Center for Science and International Affairs at the Harvard Kennedy School of Government. (Mansoor, Pakistan’s Tactical Nuclear Weapons and Their Impact on Stability, <https://carnegieendowment.org/2016/06/30/pakistan-s-tactical-nuclear-weapons-and-their-impact-on-stability-pub-63911>)

The **broad consensus** among Pakistan’s strategic elite is that the introduction of battlefield **nuc**lear weapon**s** has **deterred India** and complicated Indian plans for limited **conventional conflict**. They believe the **deterrent value** of battlefield **nuc**lear weapon**s** outweighs the costs and risks generated by their introduction. TNWs are worth the trouble of grappling with doctrinal and other “complex challenges inherent in the integration of TNW into [conventional] war-fighting plans, notwithstanding the fog of war. Plans made during peacetime would meet unforeseeable obstacles in the battle environment, to the detriment of effective deployment and employment of TNW.”129¶ The underlying driver for the introduction of theater nuclear forces by Pakistan is the possibility of generating risk at the lower levels of conflict to increase the costs associated with planning and initiating limited conventional war against Pakistan. A limited war by India will certainly be a total war for Pakistan, so Pakistan has shifted its deterrence posture to try and make limited war too risky for India to attempt. Moreover, faced with the threat of proactive military operations from India at a time when the Pakistani armed forces are fully engaged in a war on terror at home, facing chronic instability on the border with Afghanistan, and dogged by economic downturn, nuclear strategy manipulation and the introduction of TNWs appears a cost-effective and quick solution.130 The U.S. Naval Postgraduate School’s report on Pakistan’s battlefield nuclear weapons based on Track 2 findings argues that “TNW would theoretically plug the gap and create a force multiplier effect for a thinly stretched Pakistani Army.”131 With the introduction of these weapons, “Pakistan has asserted it is solving its problems, just as NATO did during the Cold War.”132 Thus, “the Pakistani rationale for TNW is that these weapons are an **insurance policy** against surprise and a guarantee at the operational level. . . . which will buy time against a strategic defeat.”133 Whether or not tactical or short-range battlefield nuclear weapons will accomplish the objectives for which they were developed remains an open debate in academic, policy, and military circles in South Asia and the world.¶ The fact that these weapon systems have attracted so much criticism and debate in India reflects unease, consternation, and anxiety that Pakistan’s TNW capability cannot be wished away and will have to be factored into India’s future limited conventional planning. This instability was one of the primary objectives that Pakistani decisionmakers hoped to achieve by developing TNWs.¶ CONCLUSION¶ Since 1998, Pakistan’s nuclear posture has experienced a metamorphosis—from minimum credible deterrence to credible minimum and finally to the full spectrum deterrence inaugurated by the development of the Nasr system. While this has generated a variety of opinions in Pakistan and among Pakistani scholars and academics, the majority of the official and academic circles perceive immense deterrence value in building tactical nuclear weapons. Pakistan’s introduction of battlefield nuclear weapons complicates India’s strategic calculus and is likely to trigger swift international diplomatic intervention to defuse a crisis and prevent further escalation.134 They continue to **cite Russia’s example** of retaining thousands of tactical nuclear weapons in its arsenal despite having a favorable conventional force posture and robust strategic nuclear forces.135 All of Pakistan’s six short-range missile systems can carry conventional and nuclear warheads and can be deployed at various distances from the border, yet their deployment does not necessarily translate into a warfighting strategy in the classic sense. India, however, will probably continue to pursue its politico-military objectives with plans for limited conventional warfare, which it insists will be “limited, surgical and punitive.” Pakistan is likely to meet the Cold Start threat with all conventional forces at its disposal before resorting to any battlefield or strategic use of nuclear weapons.¶ Fissile material constraints alone are enough to compel Pakistan to employ all types of dual-use short-range systems for counterforce targeting, rather than just the Nasr alone. If Pakistan were to employ a low-yield tactical nuclear weapon against enemy forces as a warning shot intended to signal the impending escalation to all out nuclear exchange, the likely result would be further escalation.¶ However, strategic stability in South Asia is **more likely** to be affected in the foreseeable future by the **growing asymmetry in conventional forces** and the expansion and modernization of strategic forces. The asymmetry is pushing India toward limited war strategies and escalation dominance, which strategic elites believe can be achieved during a short, sharp, limited war below Pakistan’s perceived nuclear thresholds. In essence, strategic stability will also rest on both sides’ willingness to take the risk of calling the other’s bluff. The costs of failing at this brinksmanship, however, are far from evenly distributed because a limited war for India will most likely be a total war for Pakistan. If deterrence fails this spectacularly, the Nasr might not be the first or the last nuclear weapon system that Pakistan uses to survive. Should the **Pakistan**i NCA decide to employ any type of short-range tactical or strategic **nuc**lear weapon against India, it will be a first use as a **last resort**.136 But because both countries are developing second-strike capabilities, there is a serious credibility gap between official doctrinal proclamations and how each side expects the other to act. The balance between deterrence, warfighting, and nuclear escalation remains very fluid and unpredictable. In this environment, the introduction of tactical **nuc**lear weapon**s** by Pakistan in response to India’s limited war strategy is only a means of **reinforcing deterrence** and **enhancing stability** at the higher level of conflict by inducing instability at the lower levels.

#### It gets circumvented

Singh, 19 - Professor of Politics at Birkbeck, University of London (Robert, Unchecked and Unbalanced? The Politics and Policy of U.S. Nuclear Launch, Volume 63, Issue 1, 2019, Pages 116-131)

Presidential Unilateralism It might be argued that the status quo remains the simplest method of organizing launch authority. First, surveying the post-1945 history of the “nuclear taboo,” only the most jaundiced observers can contend that Presidents were reckless warmongers, apt to initiate nuclear war on a whim. Second, the presidency is not so much unrestrained and lawless as preoccupied by multiple legal constraints: unprecedentedly powerful but also unprecedentedly accountable. Third, Congress can and does use multiple avenues to articulate opposition to “presidential wars” and to influence administration calculations. But as legal scholars Eric Posner and Adrian Vermeule note, the political costs as much as legal constraints facing chief executives are crucial.15 Fourth, and perhaps the most instructive aspect of recent congressional activity on nuclear matters is that policymakers have—for now, at least—rejected substantial regulatory change. Restrictive no first-use legislation did not secure cosponsorship of most House or Senate Democrats or even come to a vote in either chamber over 2017-2018. Nor, following its oversight hearings, did the Senate Foreign Relations Committee undertake further legislative action. In the balance of risk and reward between restricting a President and emboldening an international adversary, most lawmakers apparently have concluded that the cost of reform outweighs the possible benefits. 14 National War Powers Commission Report, p. 23. 15 Eric A. Posner and Adrian Vermeule, The Executive Unbound: After the Madisonian Republic (New York: Oxford University Press, 2013). Winter 2019 | 127 SINGH But none of this relative inertia should induce complacency. The status quo remains deeply problematic. At the Senate hearings in November 2017, responding to a question about whether the President could ignore a military lawyer’s advice that a launch order was illegal, the former head of U.S. Strategic Command, General Robert Kehler, answered that this would present a “very interesting constitutional situation,” illustrating the opacity of what would occur if a President acted irrationally or against the law. The ultimate recourse to a President acting illegally, but no doubt, in his view, morally and legitimately, is either removal via the 25th Amendment or impeachment for “high crimes and misdemeanors.”16 Neither offers a reliable check on a “rogue” President or dubious launch order. Faced with a security crisis of such magnitude that first use was seriously contemplated in the White House, a President may not feel constrained fatally by the absence of congressional permission. A future President might well echo George H. W. Bush’s claim that, “I didn’t have to get permission from some old goat in the United States Congress to kick Saddam Hussein out of Kuwait.”17 If the primary purpose of legal constraints is to raise the political price paid for their violation, this is improbable, but possible. The handful of nations against which it is currently possible to imagine such a strike occurring—North Korea, Iran, Russia, China, Pakistan—invariably register low in “thermometer” ratings of U.S. affections. The use of nuclear weapons against a hostile power likely would occur after a White House campaign to frame the reasons for action. Shocking though the end of non-use might be, it probably would not come as a total surprise. Moreover, there is no guarantee that even illegal use might forfeit public support. Replaying the 1945 example of a Truman-esque trade-off between using nuclear weapons on an enemy and causing mass civilian deaths or losing substantial numbers of U.S. troops in a conventional war, political scientists Scott Sagan and Benjamin Valentino—applying the trade-off to a hypothetical case involving Iran—found most Americans preferring the nuclear option and disregarding the noncombatant immunity norm: “Contrary to the nuclear taboo thesis, a majority of Americans are willing to support the use of a nuclear weapon against an Iranian city killing 100,000 civilians.”18 Under such conditions, the prospect of the Cabinet recommending, and Congress supporting, removal is remote, and Presidents plausibly could relegate the impeachment prospect to a second- or third-order concern (assuming the President and the United States survive). In today’s febrile partisan environment, especially, it seems highly unlikely that a crisis measure taken in good faith by the Commander-inChief would meet with universal public disapproval. The President’s failure to fulfil his oath “to take care that the laws be faithfully executed” would not automatically result in impeachment—an abuse of power in violation of the nation’s best interests. Politically, it would also be unlikely that a party could easily secure both a majority in the House for articles of impeachment and a two-thirds supermajority in the Senate to convict. In short, checks and balances are not locks and bolts. Presidents using nuclear weapons in a first-strike capacity may have little to fear politically for the consequences even of illegal and unconstitutional actions. (The greater concern over impeachment could conceivably stem not from excess zeal about military action, but, as John F. Kennedy feared during October 1962, excess caution.) Although states can “learn” from their experience with nuclear weapons, moderating behavior over time, even long-standing nuclear powers remain exposed to the vagaries and vicissitudes of their individual leaders. Leaders with direct military experience are less likely to authorize the use of military force than those with military, but no combat, experience. A more discriminating U.S. electorate might conceivably take notice of that. But maintaining the status quo leaves the nation subject to a single individual’s preferences. However responsible Presidents have been thus far, that exposure is impossible to reconcile with the manifest intent and design of the U.S. Constitution and the wider political culture.

# 2NC

## CP

### 2NC – CP Modification

#### The United States federal government should:

* enter into negotiations with North Korea, relieving sanctions and allowing North Korea to maintain its nuclear arsenal in exchange for North Korea decommissioning its Intercontinental Ballistic Missiles.
* create a binding policy that foreswears “bloody nose” strikes, preventative strike, preemptive strikes and declare any strikes on North Korea will follow all international restrictions on the use of force in instances where Japan has not expressed affirmative consent.
* adopt an no first use policy.
* in the event of an attack against Japan, use measures short of armed force, covertly working with think tank, university, NGO, and media communities to support the US reasoning in the event of abandonment

### 2NC – AT: L2NB

#### 3. The plan breaks the U.S. commitment to Article 5 by altogether---the CP avoids the link by retaining the framework but modifying the type of response once invoked.

Dr. Michael O'Hanlon 17, Director of Research - Foreign Policy, Co-Director - Center for Security, Strategy, and Technology, Africa Security Initiative, Senior Fellow - Foreign Policy, Center for Security, Strategy, and Technology, The Sydney Stein, Jr. Chair, “On Trump’s Article 5 Omission”, 5/25/2017, https://www.brookings.edu/blog/order-from-chaos/2017/05/25/on-trumps-article-5-omission/

I would prefer that President Trump fully support NATO’s Article 5, to ensure the alliance’s deterrent is clear and therefore robust. My colleague Tom Wright is absolutely correct about this. Moreover, my colleagues Richard Bush, Bruce Jones, and Robert Kagan, among others are convincing in their support for America’s system of global alliances. I myself wrote public critiques of candidate Trump’s apparent disdain for American alliances in the course of the 2016 election campaign.

All that said, I am not as up in arms as some about President Trump’s refusal to explicitly endorse Article 5 in his speech on May 25 in Brussels. That choice was regrettable—but it was also a relatively minor mistake, in my eyes, and not without some understandable basis.

For one thing, if you read Article 5, it actually entails a bit more ambiguity than some tend to remember. Here it is, in its entirety, from the 1949 Washington Treaty that created the cornerstone of NATO:

“The Parties agree that an armed attack against one or more of them in Europe or North America shall be considered an attack against them all and consequently they agree that, if such an armed attack occurs, each of them, in exercise of the right of individual or collective self-defense recognized by Article 51 of the Charter of the United Nations, will assist the Party or Parties so attacked by taking forthwith, individually and in concert with the other Parties, such action as it deems necessary, including the use of armed force, to restore and maintain the security of the North Atlantic area.

Any such armed attack and all measures taken as a result thereof shall immediately be reported to the Security Council. Such measures shall be terminated when the Security Council has taken the measures necessary to restore and maintain international peace and security.”

Note the phrasing “…such action as it deems necessary, including the use of armed force…” The second part of that phrase makes it sound as if a military response should be axiomatic and immediate. But the first part guards the sovereign right of each country to make its own decision, based on the specifics of a given situation.

The ambiguity is inevitable, because no one can foresee all contingencies, and the way NATO should respond to one threat is necessarily different from how it should respond to another. Even if Trump had fully endorsed it, it would not automatically commit the United States to any particular course of action in the event of, say, another Russian cyberattack on Estonia, or a use of Russian “little green men” to seize some remote border town in eastern Latvia. The words of Article 5 are no silver bullet.

#### 4. Chosen form of retaliation isn’t bounded by the treaty.

Michael E. O’Hanlon, senior fellow, and director of research, in Foreign Policy at the Brookings Institution “The Senkaku Paradox: Risking Great Power War Over Limited Stakes, Brookings Institution Press, April 30th 2019, P28

Article 5 commitments within NATO and the U.S.-Japan alliance are typically interpreted as absolute and inflexible, especially within American defense and national security circles. Article 5, which commits all allies to action if any one of them is attacked, is the essence of NATO’s mutual defense pledge. A somewhat similar Article 5 is the backbone of the U.S.-Japan Security Treaty as well, and a related kind of stipulation is found in Article 4 of the U.S.-Philippines military and defense accord. Specifically, NATO’s Article 5 reads as follows: “The Parties agree that an armed attack against one or more of them in Europe or North America shall be considered an attack against them all and consequently they agree that, if such an armed attack occurs, each of them, in exercise of the right of individual or collective self-defence recognised by Article 51 of the Charter of the United Nations, will assist the Party or Parties so attacked by taking forthwith, individually and in concert with the other Parties, such action as it deems necessary, including the use of armed force, to restore and maintain the security of the North Atlantic area.”²¹ “The language in the Treaty of Mutual Cooperation and Security between Japan and the United States from 1960 reads: “Each Party recognizes that an armed attack against either Party in the territories under the administration of Japan would be dangerous to its own peace and safety and declares that it would act to meet the common danger in accordance with its constitutional provisions and processes.”²² The 1951 Mutual Defense Treaty between the United States and the Republic of the Philippines states: “Each Party recognizes that an armed attack in the Pacific Area on either of the Parties would be dangerous to its own peace and safety and declares that it would act to meet the common dangers in accordance with its constitutional processes.”²³ Any incursion onto any part of an ally’s territory is to be treated as a fundamental threat to that country’s security and to alliance credibility and cohesion. But none of these provisions automatically commits the United States to a specific type of counterattack. We have every right, and reason, to be creative and smart—and, as former Secretary Mattis underscores, unpredictable—in our chosen means of retaliation.”

#### Maintaining the commitment is vital to assurance---allies purposefully agreed to allow totally flexibility in the type of response

Michael Kofman 16, Analyst at CNA Corporation and Fellow at the Wilson Center’s Kennan Institute, Former Program Manager at National Defense University, “Fixing NATO Deterrence In The East Or: How I Learned To Stop Worrying And Love Nato’s Crushing Defeat By Russia”, War on the Rocks, 5/12/2016, https://warontherocks.com/2016/05/fixing-nato-deterrence-in-the-east-or-how-i-learned-to-stop-worrying-and-love-natos-crushing-defeat-by-russia/

NATO’s best answer to compellence is strategic flexibility and ambiguity of response. While Article V dictates the defense of a member, it doesn’t stipulate what that defense must be, how it should take shape, or where it will be applied. With U.S. forces in place, NATO members can be assured that Article V will be triggered, but what happens next should be left a question mark. The more NATO emphasizes the Russian threat and argues for fixed forces in place, the less capably it can defend a challenge to its credibility as an alliance. Anyone can count the order of battle and the balance of forces. By introducing ambiguity in its potential response once Article V has been declared, NATO reduces the chance it can easily be manipulated into a credibility test. The objective should be shrouding a Baltic high-end fight in incalculable risk for Russia while maintaining uncertainty and strategic flexibility with air and naval assets.

#### Limiting Article 5 fails and undermines deterrence -- a combination of military and economic consequences solves

Michael E. O’Hanlon, senior fellow, and director of research, in Foreign Policy at the Brookings Institution “The Senkaku Paradox: Risking Great Power War Over Limited Stakes, Brookings Institution Press, April 30th 2019, P123

DIRECT DEFENSE OR PROMPT LIBERATION of any allied territory subject to attack by Russia or China is not an adequate military strategy for the United States, especially when the attack does not directly target populated regions or major territories of the victim nation. The previous chapters underscore that trends in military technology, trends in Russian and Chinese resources for their armed forces, and the exposed positions of certain American allies and partners near Russian and Chinese coasts make such an approach unpromising. Yet it appears likely that, whether implicit or explicit, such a direct defense and prompt liberation paradigm pervades the U.S. national security community. Indeed, by a certain reasoning, it would appear to be directly required by treaty obligations.

The United States should not change its declaratory policy. It is better that Beijing and Moscow have some uncertainty as to whether the United States, with allies, would quickly aim to defend or liberate a slice of Baltic territory or a besieged island in the western Pacific after an attack. But it is also not entirely credible that Washington would elect to mount huge military operations to address quite minor assaults, even if the latter did target territories that were covered by formal mutual defense treaties. As such, under current policy, the chances that deterrence could fail in these places are probably growing. If deterrence did fail, it would not be enough for the United States and its allies to have as their only recourse a huge and direct frontal assault to reverse the aggression. Risking World War III to liberate a Senkaku island or a single farming village in eastern Estonia or a partially blockaded Taiwan strains credulity. America’s allies themselves should not expect, and ultimately probably would not believe, assurances of a U.S. military response that would be massively disproportionate, militarily unpromising, and hugely costly. Moreover, in light of current trends in warfare, it may not even be possible for the United States and its partners to guarantee successful combat outcomes in the near future—with or without enemy use of nuclear weapons.

The essence of my analysis applies to a broader range of scenarios as well. As noted in chapter 2, China or Russia could cause an incident over a U.S. naval maneuver in the South China Sea, Black Sea, or Baltic Sea that led to loss of life on one or both sides. Rather than acknowledge an error and back down, the aggressor could then double down, attempting to push American forces farther from its shores permanently. Or there could be attacks against the Philippines, or perhaps against non-NATO ally but close friend Sweden or Finland. Or there could be some other highly fraught yet geographically confined crisis.

The United States needs a new strategy for such cases. It should not replace the possibility of direct defense or prompt liberation of allied territory but should combine that option with a more credible declaratory paradigm in which costs and risks are more realistically aligned with the immediate stakes in play. If war occurred, I submit that this new, indirect, integrated approach would be the better recourse under most circumstances.

### 2NC – Solves

#### The counterplan normalizes US-North Korea relations and balances against China, but maintaining existing US-ROK security commitments is key

Zhang, Poli Sci PhD, ’19 [Hongyu, Professor of Political Science @ University of North Carolina-Wilmington, PhD in Political Science @ University of Georgia, and Kevin Wang, “A nuclear-armed North Korea without ICBMs: the best achievable objective,” *The Nonproliferation Review* 26.1-2 (2019): 143-153, DFU | AS]

Advantages of a secure North Korea

The fear of massive US retaliation is so great that a rational North Korea will not use nuclear weapons pre-emptively. Without US objections, a nuclear-armed North Korea would be a viable solution to the long-lasting Korean Peninsula crisis. Following the Soviet collapse and Russia’s abolishment of its alliance treaty with North Korea in 1994, the balance of power on the peninsula rapidly shifted against North Korea. As South Korea grew into a major economic power and the United States regularly renews its security commitments on the peninsula, it has become impossible for a conventionally arm

ed North Korea to sustainably counterbalance the superior power of the Republic of Korea (ROK)-US alliance. Continuing to possess nuclear weapons remains the only affordable and sustainable option for North Korea to maintain a balance with the ROK-US alliance. A secure North Korea will no longer feel the need to incite conflict or raise tensions and may actually become more passive and cautious. Its cessation of nuclear and intermediaterange and ICBM tests has demonstrated this pacifying effect. With a de-radicalized North Korea, long-term stability on the peninsula is on the horizon.

The balance of power between North Korea and the ROK-US alliance on the peninsula correlates with the US–China power balance in the region of East Asia. Although the United States projects far more power globally, the two states have comparable military power within the region. However, China’s continued rise may shift the regional balance, making future confrontation more likely. An independent and secure North Korea may keep Chinese and US forces separate. It acts as a neutral buffer zone between the two states, giving both space and time to relieve tensions. It will prevent a rapid shift in the status-quo power balance in the region. In this way, a nuclear-armed North Korea stabilizes not only North–South relations, but also the power relationship between the United States and China in the region, therefore avoiding the disruption of international peace.

If China does become a revisionist power,6 it will seek to project its power into Korea. Eventually, it will seek to expel US forces from the peninsula and implement its own version of the Monroe Doctrine.7 In the same way that China helped to contain the Soviet Union during the 1970s and 1980s, North Korea might be useful in containing China

. A major reason for the Sino-Soviet split was the Chinese fear of ever-increasing Soviet influence and military presence on Chinese territory. North Korea seems to fear China for similar reasons, especially given Korea’s experiences with colonization and foreign occupation. North Korea’s fear of Chinese control is one area where North Korean and American interests align. A tacit agreement to allow North Korea to retain a theater nuclear deterrent would therefore be advantageous to US interests. By retaining nuclear weapons, North Korea would be more independent of Chinese influence and possibly distance itself from Beijing. Encouraging a split between China and North Korea, akin to the Sino-Soviet split in the 1960s, could be a goal of US foreign policy, and could allow the United States to begin to establish relations with North Korea, as it did with China in 1971. In essence, the option for North Korea to balance between the United States and China would only be possible if China’s monopoly on economic leverage over North Korea were reduced. Washington may consider lifting sanctions and opening trade relations with North Korea. Thus, a nuclear-armed North Korea would benefit a longterm strategy of containing Chinese expansionism.

### 2NC — AT: Say No

#### It’s an effective bargaining chip, and even if it’s difficult, it’s far more achievable than denuclearization

Zhang, Poli Sci PhD, ’19 [Hongyu, Professor of Political Science @ University of North Carolina-Wilmington, PhD in Political Science @ University of Georgia, and Kevin Wang, “A nuclear-armed North Korea without ICBMs: the best achievable objective,” *The Nonproliferation Review* 26.1-2 (2019): 143-153, DFU | AS]

North Korea’s ICBM capability is within bargaining range

A credible nuclear deterrent for North Korea requires two components: a viable nuclear warhead and a survivable delivery vehicle. The international community widely accepts that North Korea has developed the former. The strategic implication of North Korea’s nuclear force now hinges on the range and survivability of its ballistic missiles. Its missile tests in 2017 were not only responses to and protests against intensified sanctions and ROK-US military exercises, but also planned and accelerated demonstrations of North Korea’s technological progress. North Korea did not stop with mobile, survivable theater ballistic missiles that would help to stabilize the regional security situation. It continued testing longer-range missiles, including three successful ICBM tests in 2017—two Hwasong-14s and one Hwasong-15. All three were fired on a very steep trajectory, avoiding overflight of Japan. But, if flown on a standard trajectory, these missiles are capable of reaching the continental United States—especially the Hwasong-15. Video evidence from Japan shows that the second Hwasong-14 test, conducted on July 28, 2017, may not have involved a realistic re-entry vehicle, which would mean a shorter effective range than previously believed.23 These developments are, however, more concerning than nuclear tests. North Korea does not need an ICBM capability to close the power gap on the peninsula. The gap is between the conventional war-fighting capabilities of North Korea and the ROK-US alliance. A nuclear force limited to the range of theater ballistic missiles will do the job for North Korea. As a lesser power, North Korea does not need to balance American power beyond the peninsula—the responsibility of balancing against the United States across the East Asian region falls on China.

A nuclear North Korea possessing ICBMs will hold the continental United States at risk, overcompensating for a previous lack of balance. By credibly threatening an American metropolitan area, North Korea may believe it can cause uncertainty in the US security commitment to South Korea and Japan. In short, the United States would have to consider whether it would be willing to trade San Francisco for Seoul, seriously challenging the credibility of US alliances in the region. Moreover, a robust ICBM program places an added burden on North Korea’s economy. Such a capability provides no net security benefit for the regime. It is thus a reasonable negotiating point in any deal with North Korea.

Given that a theater nuclear deterrent suffices for North Korea to achieve security, it should have less motivation to persist in pursuing ICBMs. The regime has proclaimed its nuclear status via constitutional amendment,24 but it is more plausible that it would use its ICBM program as a bargaining chip. It does not have the massive territory or favorable political conditions to conduct a full-range flight test on land or into international waters, given the strong opposition of the international community to its nuclear program. Although North Korea has conducted three ICBM tests, its capability still seems far from mature.25 Reversing an ICBM capability that is still in progress is much more achievable and less costly than denuclearization. For instance, the United States can continue to de-escalate tensions, reduce the level of threat perceived by the regime, offer political and economic benefits, and thus disincentivize North Korea from possessing an ICBM capability. Tacitly accepting North Korea’s theater nuclear deterrent would make its abandonment of an ICBM capability more palatable.

## Korea

### 2NC – Deterrence Turn

#### Maintaining Article III commitment is key to deterrence

Jang, PhD Candidate, ’16 [Se Young, Associate of the Project on Managing the Atom Project @ Harvard, PhD Candidate in International History @ Graduate Institute in Geneva, “The evolution of US extended deterrence and South Korea’s nuclear ambitions,” *Journal of Strategic Studies* 39.4 (2016): 502-520, DFU | AS]

The Origin and Development of US Extended Deterrence in South Korea

Extended deterrence has been a main pillar of the security alliance between the United States and South Korea since the end of the Korean War. After the Korean Peninsula was divided into two states, North and South Korea, the United States stationed its army, air force, navy, and marine personnel in the South. Furthermore, the US commitment to defend South Korea against any further external aggression was institutionalised by the Mutual Defense Treaty signed on 1 October 1953. According to the treaty’s Articles II and III, the United States and South Korea will ‘consult together’, ‘maintain and develop appropriate means to deter armed attack’, and ‘act to meet the common danger in accordance with its constitutional processes’ when either of the parties come under an armed attack in its territory.8 Originally, the Eisenhower administration drafted the treaty in order to restrain President Syngman Rhee’s offensive campaign to reunify the Korean Peninsula by force in the aftermath of the territorial division.9 Rhee’s adventurism was successfully hampered, and since then the US armed forces stationed in South Korea have increasingly served as a tripwire guaranteeing US involvement in the event of armed attack by North Korea. Currently, the US–ROK alliance is one of the only three bilateral military alliances the United States has forged using a mutual defence treaty, the other two being with Japan and the Philippines.

#### 4. First use is an *explicit* part of North Korean nuclear strategy. Absent *firm resolve* we’re willing to trade San Francisco in a preemptive strike, they’ll strike.

Nick **KODAMA** Government PhD Candidate @ Georgetown **’20** “Threatening the Unthinkable: Strategic Stability and the Credibility of North Korea's Nuclear Threats,” *Journal of Global Security Studies*, p. 1-15 | AS

North Korean Nuclear Strategy

The rapid development of the DPRK’s ballistic missiles and nuclear weapons in recent years caught many observers by surprise. Because it was widely assumed that North Korea would take years before having a credible nuclear arsenal, the analysis on North Korean nuclear weapons has mostly been framed within a nonproliferation perspective. There were extensive debates over whether North Korea was developing nuclear weapons because of security concerns, for domestic legitimacy, for nuclear blackmail, or as a bargaining token in negotiations (Cha and Kang 2003; Park and Lee 2008; Cha 2009). Additionally, while there were extensive discussions about the potential effects of North Korea’s proliferation, there was relatively little discussion about how those nuclear forces may be employed.

However, in recent years, experts have turned towards examining how North Korea conceptualizes and operationalizes its nascent nuclear posture (Roehrig 2012; Narang 2015; Smith 2015). Most notable is the suggestion that North Korea is implementing a nuclear warfighting strategy. This strategy specifically involves using ballistic missiles against US allies and bases in Northeast Asia to halt an initial attack while maintaining ICBMs in reserve to compel the United States into backing down from further escalation. Signs that North Korea was adopting and operationalizing this particular nuclear strategy started to emerge as early as 2013.

While it may be tempting to dismiss North Korean state media’s rhetoric as mere bluster, these statements warrant closer scrutiny. In 2013, the state-run Korean Central News Agency (KCNA) reported the adoption of the Law on Consolidating the Position of Nuclear Weapons State for Self-Defense by the Supreme People’s Assembly of the DPRK. This law declared that North Korea’s nuclear weapons “serve the purpose of deterring and repelling the aggression and attack of the enemy against the DPRK” (KCNA 2013d). The authority to launch a nuclear strike was explicitly given to the Supreme Commander of the Korean People’s Army (KPA)—Kim Jong Un—“to repel invasion or attack from a hostile nuclear weapons state and make retaliatory strikes” (KCNA 2013d). This strategy has been reiterated by North Korean officials and state media on multiple occasions since the adoption of this law. For example, following President Donald Trump’s threat to unleash “fire and fury” on North Korea, KCNA noted that “to thoroughly neutralize and wipe out all troops and means to be involved in invasion through preemptive actions is the consistent operation mode of the revolutionary forces of the DPRK” (KCNA 2017a). Additionally, the law and its aforementioned strategy were mentioned in response to a large US-South Korean aerial military exercise in December 2017 (Rodong Sinmun 2017a).

Throughout 2013, North Korean state media also made frequent reference to the KPA Strategic Rocket Force and the targets it would strike in the event of a war. The Strategic Rocket Force was originally founded in 1999 as the Missile Guidance Bureau, but upon its renaming in 2012 it was elevated to the same status as the other services in the KPA (Choi and Grisafi 2016; KCNA 2016b). On March 29, 2013, KCNA reported that Kim Jong Un examined and ratified a plan so that the KPA Strategic Rocket Force may “strike [at] any time the US mainland and its military bases in Hawaii, Guam, and South Korea” (KCNA 2013a). Three days later, state media warned that “all the field artillery units including strategic rocket units and long-range artillery units have the capability to blow up the US mainland and its bases in operational theaters in the Pacific as well as all the enemy targets in South Korea and its vicinity [in] an initial strike if war breaks out” (KCNA 2013c). Notable in these statements is the explicit threat of first use of North Korea’s nuclear weapons and ballistic missiles in a crisis.

Implementing this strategy requires ensuring that North Korea’s ballistic missiles are protected from preemptive counterforce strikes but also able to deploy rapidly in a crisis. To that end, North Korea has deployed its land-based ballistic missiles on mobile transporter erector launchers (TELs) and recent open-source imagery analysis suggests that these TELs are sheltered in a vast network of missile-operating bases hidden across North Korea’s mountainous terrain (CSIS Beyond Parallel 2018). In the event of a severe crisis (or in preparation for a conflict), North Korea would likely disperse its TELs from these bases to pre-surveyed launch sites in the area. Additionally, with the Pukkuksong-1 and -2, North Korea has begun the development of solid-fueled missiles. Unlike their liquid-fueled counterparts, solid-fueled missiles do not need to be fueled immediately prior to launch, significantly reducing the time available for an adversary to detect launch preparations and destroy them in a preemptive strike.

The possession of ICBMs is another key component of North Korea’s efforts to deter the United States. In the event of a severe crisis, North Korea may seek to launch a first strike against regional targets while holding its longer-range ballistic missiles in reserve to threaten a “third strike” against the US mainland in order to deter a US retaliatory second strike. This overall strategy of holding longer-range, strategic nuclear weapons in reserve parallels the nuclear doctrines of two other nuclear powers, Cold War-era France and Pakistan.2 North Korea has an added advantage in that it can use its ICBMs to exploit one of the key vulnerabilities in the US nuclear umbrella: the risk of alliance decoupling. One of the central challenges of extended deterrence is that it requires the United States to willingly enter into a nuclear war to defend an ally. Doubts during the Cold War over the credibility of US nuclear commitments led to Charles de Gaulle’s famous question of whether the United States was willing to trade New York for Paris. Similarly, North Korea may try to leverage its ICBMs to sow doubts over whether the United States would be willing to retaliate against a North Korean attack on Japan or South Korea if it means that a US city would be attacked.

### 2NC — Escalation Dominance

#### Allied support is key to escalation dominance

Dodge, Poli Sci PhD, ’20 [Michaela, Research Scholar @ National Institute for Public Policy, Former Research Fellow in Missile Defense and Nuclear Deterrence @ Heritage Foundation, PhD in Political Science @ George Mason University, and Ian Campbell, “Deterring North Korea,” *Survival* 62.1 (2020): 55-59, DFU | AS]

Allied support for escalation dominance

The United States’ regional network of alliances, partnerships and basing facilities is one of the strongest advantages the US has over North Korea. The United States must ensure that its allies would be supportive of US steps despite potential concerns about escalation. Allied cooperation would expand US options and help ensure escalation dominance. While in-place forces are the first signal of alliance willingness to escalate in the Korean theatre of operations, US force movements in Japan would impart the intent and capability to intensify escalation. Assuring Japan of US military support may require improving the logistical infrastructure for the rapid long-distance deployment of US forces into the Korean theatre, and in particular the modernisation of its tankeraircraft, strategic-airlift and military-sealift capabilities.4 Missile defence can also play an indispensable role in ensuring Japan’s cooperation, as it mitigates the potential damage from North Korean ballistic-missile attacks on Japanese targets. Collectively, these improvements would minimise disruptions to US force deployment and ensure that North Korea fully considers US conventional response capabilities in an escalating crisis.

All key US strategic documents highlight the United States’ concern about North Korea’s ballistic-missile and WMD capabilities. US homeland defence and regional ballistic-missile-defence architectures will continue to play an important role in US efforts to deter North Korea and assure allies. But the current US missile-defence programme could be inadequate depending on the rate of advance of North Korean capabilities.

\* \* \*

The United States and its allies face a major challenge in ensuring that North Korea remains deterred from instigating a large-scale provocation. The best way of doing this is to present to North Korea’s leadership the prospect of an unstoppable, predictable and highly destructive set of responses.

### XT — 1NC 3: NFU Not Credible

#### NFU doesn’t assure adversaries. No one believes it, and conventional forces, modernization, and saber-rattling trigger the advantage.

Lichterman, 19 – lawyer and policy analyst with the Oakland, California-based Western States Legal Foundation. He is a member of the board of the International Association of Lawyers Against Nuclear Arms (Andrew, It’s Not Enough to Declare “No First Use”, <https://truthout.org/articles/its-not-enough-to-declare-no-first-use/>)

On January 30, Sen. Elizabeth Warren and House Armed Services Chair Adam Smith introduced a bill declaring that, “It is the policy of the United States to not use nuclear weapons first.”

This is a good thing, but standing alone is likely to have little impact on the actual dangers posed by nuclear weapons. Unless the nature of U.S. strategic forces and the plans for modernizing them change, a declaratory “no first use” policy is unlikely to stave off an accelerating arms race among the nuclear-armed states.

Those who make decisions about military policy in nuclear-armed states evaluate the intentions of their adversaries more according to their capabilities than their words. If the kinds of weapons a country deploys appear particularly suited for offensive purposes, their adversaries are likely to assume that those weapons may be used first. For example, highly accurate long-range missiles with powerful nuclear warheads will be seen as providing a strong option of first use of nuclear weapons in a war crisis. These weapons could be used in a preemptive attack to destroy an adversary’s hardened command posts and nuclear missile silos before their attack could be launched.

The U.S. nuclear weapons establishment has long sought to justify the development and deployment of such weapons as necessary for defensive “damage limitation,” arguing that they could be used to disrupt an attack and to destroy an adversary’s nuclear forces before they could be used. From an adversary’s perspective, however, paper arguments and declaratory policies do little to reduce the perceived threat. Further, the ability of the United States military to threaten other nuclear-armed countries with a preemptive strike has grown as it has developed an array of more accurate, powerful long-range conventional arms, missile defenses and modes of electronic warfare.

Additionally, in a development noted by few other than arms control specialists, the U.S. is completing a modernization of the W76 submarine-launched ballistic missile warhead, a multiyear effort with the first upgraded weapons delivered to the Navy in 2009. The upgrade significantly improves the accuracy of the most numerous nuclear warhead in the U.S. arsenal, giving it greater ability to destroy hardened targets like missile silos and command centers.

Both Russia and China have responded to the U.S. advantage with advanced conventional forces and continued nuclear weapons modernization and increased reliance on nuclear weapons, with both countries moving ahead with development of new nuclear weapons systems. The Trump administration, in turn, has doubled down, announcing plans for a new nuclear-capable, sea-launched cruise missile and a low-yield nuclear warhead for submarine-launched ballistic missiles in its 2018 Nuclear Posture Review.

By all appearances, we are seeing a resumption of arms racing among the leading nuclear-armed countries. This round of arms racing could surpass the Cold War in complexity and instability. Today, there are more countries with significant nuclear arsenals, and new material and political conflicts among the elites who govern nuclear-armed states. The military-industrial complexes remain powerful forces entrenched for over a half-century, their interests bound to endless high-technology military confrontation.

At the same time, the recent U.S. withdrawal from the Intermediate Range Nuclear Forces Treaty continues the collapse of the remaining arms control treaties that limited the kinds and numbers of nuclear weapons that could be deployed by Russia and the United States, which together possess more than 90 percent of the world’s nuclear arms.

Satellites and other advanced means of intelligence gathering today make it easier for nuclear-armed countries to see what their adversaries are doing. Treaties, however, provide further means of verification and mechanisms for resolving disputes. The broader framework of ongoing discussions necessary to negotiate arms control treaties also have value that extends beyond capping and verifying weapons possessed or deployed. They allow adversaries to better understand each other’s intentions and their fears, and can provide crucial channels for communication in a crisis.

At the international level, it’s time to stop building and threatening, and to start talking. Even when prospects for success seem dim, arms control negotiations are an important way to discover what the other side finds most threatening and provocative. Moreover, if those in Congress advancing proposals to control how nuclear weapons are used are serious about reducing their dangers and avoiding a new arms race, they have a deeper role to play. If they are serious about “no first use,” they should begin with an inquiry into whether the existing arsenal is consistent with making that pledge believable to U.S. adversaries. In the meantime, Congress should fund no new nuclear weapons, and should place on hold the ambitious — and expensive — effort to modernize the U.S. arsenal.

Lastly, if the goal is to both reduce the nuclear danger and to renew and strengthen a rule-governed international order, all of this should proceed in light of the U.S. obligation, entered into a half-century ago in the Nuclear Nonproliferation Treaty, “to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament.”

The U.S. government still possesses the most powerful nuclear-armed military in the world. The nuclear arms race started here in the United States. The effort to prevent a new arms race and to finally bring the risk of nuclear annihilation to an end must begin here as well.

#### Nobody buys NFU. We never trusted the Soviet Union’s NFU, and nuclear doctrines are determined by security interests and technical capabilities.

Tertrais, 09 – Deputy Director at the Paris-based Fondation pour la Recherche Stratégique (Foundation for Strategic Research) and a member of the editorial board of The Washington Quarterly (Bruno, Forum: The Case for No First Use: An Exchange, Survival Global Politics and Strategy Volume 51, 2009 - Issue 5)

My first argument is that the benefits of no-first-use postures are overrated. Can one believe that Tehran or Pyongyang would feel reassured by Western no-first-use statements? During the Cold War, we did not take Soviet no-first-use statements seriously. I doubt that governments that see the United States and its allies as adversaries would believe our own. And does the nuclear-proliferation risk today stem mostly from Western nuclear policies? There are good reasons to think that conventional superiority matters more.

More importantly for the purpose of non-proliferation, why would Non-Aligned Movement countries consider that nuclear-weapon states would feel bound by no-first-use commitments if and when push came to shove? Some would, but others would not, and given the amount of misperception and sometimes paranoia regarding Western military policies in general, they would be many. The non-proliferation value of a no-first-use commitment would be limited.

Sagan argues that first-use options encourage other countries to follow suit, citing the example of India. But nuclear doctrines are hardly a matter of fashion. They are driven by security interests and technical capabilities, political imperative and moral choices. More often than not, the same causes produce the same effects. Other countries' doctrines are used essentially as legitimising factors. New Delhi abandoned its no-first-use policy in 2003 for fear that Pakistan or China could use chemical or biological weapons in the course of a conflict against India despite their ratification of the relevant conventions.

### XT 1NC 7 — No Korea War

#### Deterrence now ensures both sides calculate the costs are *too high*.

Dong Sun **LEE** IR @ Korea University **AND** Iordanka **ALEXANDROVA** Peace and Democracy Institute @ Korea University **’19** “North Korean nuclear strategy: envisioning assured retaliation,” *International Relations of the Asia-Pacific*, p. 1-30 | AS

On the other hand, Washington tends to be so cost-sensitive that its threshold of unacceptable damage is not very high in the first place. North Korea is a minor power located far across the vast Pacific Ocean, and therefore poses no mortal threat against the US superpower possessing ample wherewithal to deter and defend against the underdog’s direct attack. Protecting Northeast Asian allies from North Korean threats is an important interest but not a vital one: the United States would unlikely perish even if it were to lose South Korea to the North. Therefore, the United States has historically been unwilling to fight a costly war of attrition against North Korea unless forced to do so (as in the Korean War). Considering that a majority of Americans regret having fought the Vietnam War, which cost them approximately 58,000 lives and US$150 billion (Keylor, 2011: 381), it is not unreasonable to estimate that a North Korean campaign of equivalent damage would be similarly regarded as unacceptable. A US attritional campaign against North Korea would surpass these figures by a large margin.

In light of these realities, Pyongyang can calculate that a modest survivable arsenal (capable of imposing a moderate penalty), in tandem with preexisting nonnuclear deterrents, may have the ability to inflict damage that the cost-sensitive Washington would find unacceptable (Roehrig, 2012: 82, 89–91).5 Pyongyang would raise its estimate of the ability to the extent that it is confident about its chance of successful preemption or launch-on-warning putting most nuclear weapons to use. North Korea can calculate that such a nuclear arsenal is within its reach although it understands that considerable time and money would still be needed to complete it to perfection (Smith, 2015: 16).

#### Nobody wants war.

Walsh, IR PhD, 17 (Dr. Jim Walsh, Senior Research Associate @ the Massachusetts Institute of Technology’s Security Studies Program, Former Executive Director @ the Managing the Atom Project @ Harvard University’s John F. Kennedy School of Government, visiting scholar @ the Center for Global Security Research at Lawrence Livermore National Laboratory, Former Professor @ Harvard University and MIT, Ph.D. @ MIT, Interviewed by Ellie Cambridge and Guy Birchall, “WHAT A WRONG UN What nuclear weapons does North Korea have, will there be a war and who would Kim Jong-un target in a missile attack?”, May 18th, 2017, [https://www.thesun.co.uk/news/2497570/nuclear-weapons-north-korea-kim-jong-un-war-missile-attack](https://www.thesun.co.uk/news/2497570/nuclear-weapons-north-korea-kim-jong-un-war-missile-attack/)) dlb

Jim Walsh, an expert in international security and a Senior Research Associate at the Massachusetts Institute of Technology’s Security Studies Program, says war is unlikely to break out as no one wants it.

He told Al Jazeera: “North Korea doesn’t want a war, because it knows it will lose and lose decisively. That would mean the end of the Kim dynasty, and if there’s one thing Chairman Kim Jong-un wants, it’s to stay in power.”

He added that China and South Korea don’t want a war involving a country on their borders and the influx of North Korean refugees that would come with it – and a large-scale war would be devastating for the already-poor reputation President Trump already has.

#### No escalation — the score is 164 to 0

Anthony H. Cordesman, IR PhD, 13, University: BA, University of Chicago (1960) University: MA, Fletcher School, Tufts University (1961) University: PhD, University of London (1963) Professor: National Security Studies, Georgetown University (1983-)the Arleigh A. Burke Chair in Strategy at CSIS; and Ashley Hess, MA in international relations from Seoul National University, June 2013, “The Evolving Military Balance in the Korean Peninsula and Northeast Asia: Volume II,” <http://csis.org/files/publication/130513_KMB_volume2.pdf>

The DPRK has repeatedly challenged the ROK using low-level covert operations and asymmetric attacks, using these incidents to put pressure on both the ROK and the US. The DPRK has also deployed large amounts of its force structure for the same purpose, keeping the ROK under constant pressure. It has created a special balance in the border area by creating tunnel systems and deploying large amounts of artillery in caves and sheltered positions within range of Seoul.

The historical record shows that there was nothing new about the DPRK’s use of such attacks in 2010 and that the DPRK’s actions do not always follow the same kind of strategic calculations made by other states. Pyongyang’s willingness – and inventiveness – in using the threat and reality of such attacks was so consistent between 1950 and 2007 that it led the Congressional Research Service to prepare a 36-page chronology that covered 164 examples of armed invasion; border violations; infiltration of armed saboteurs and spies; hijacking; kidnapping; terrorism (including assassination and bombing); threats/intimidation against political leaders, media personnel, and institutions; incitement aimed at the overthrow of the ROK government; actions undertaken to impede progress in major negotiations; and tests of ballistic missiles and nuclear weapons.4

## Norms

### XT — 1NC 1: Norms Dead

#### National interest overrides intervention norms. Adversaries already invoke Libya and other precedents, but will use article 51 against the U.S.

Jonathan **PUGH** Senior Academic Fellow @ Newcastle School of Geography, Politics, and Sociology **’17** The Effect of the Intervention in Libya on the International Debate about Syria https://www.e-ir.info/2017/11/09/the-effect-of-the-intervention-in-libya-on-the-international-debate-about-syria/

The intervention in Libya against Colonel Muammar Gaddafi’s regime was at first seen as a victory for those in the West attempting to establish an international legal norm on the responsibility of states [2]to protect their own population. However, for China and Russia, as well as many nations in the Global South, it was seen as a potentially dangerous legal precedent, which threatened the protection that state sovereignty hitherto had been given under international law. This was at the heart of the refusal of Beijing and Moscow to accept any intervention under the auspices of the United Nations Security Council against the Syrian government, during its crackdown of opposition forces. There were also wider geopolitical considerations that were applicable to Syria, but not to Libya. Syria has a strategic importance that dwarfs Libya’s, despite the latter’s extensive energy reserves. The two case studies also show, that international law, as well as the world system itself, is still subject to the whims of great power rivals. That states sometimes use the façade of legality to justify their actions and if the international legal framework contradicts their own self-interest, they do not shy away from ignoring it. Split into four parts, this essay first will examine the history of sovereignty and international law, the humanitarian interventions of the post-Cold War era, and the rise of the concept of Responsibility to Protect (R2P). The second and third parts will be made up of two case studies, one on the intervention in Libya in 2011, and the other on the UNSC’s debate about intervening in Syria in 2012. The final part will discuss the geopolitical differences between Syria and Libya, as well as the future of “humanitarian intervention”.

#### Kosovo set precedent. Western states believe humanitarian exceptions are well-established.

Patrick **TERRY** Law @ Univeristy of Public Administration Kehl (Germany) **’19** “The Return of Gunboat Diplomacy: How the West has Undermined the Ban on the Use of Force” *Harvard Naitonal Security Journal* p. 130-136

Regarding these non-authorized interventions, it is again the West that has set the major precedents. The Security Council did not explicitly authorize the establishment of safe havens in Iraq in order to protect Kurdish citizens, and the subsequent establishment of a no-fly-zone to protect Shiite citizens of Iraq in 1991 and 1992 by the United States, U.K., and, in the first case, France and the Netherlands. In Resolution 688, the Security Council, not acting under Chapter VII, had described the “repression of the Iraqi civilian population” as a threat to “international peace and security.”326 This was markedly different from Resolution 794, authorizing the Somalia intervention, which stated: 321 Acting under Chapter VII of the Charter of the United Nations authorizes the Secretary- General and Member States . . . to use all necessary means to establish . . . a secure environment for humanitarian relief operations . . .327 Nevertheless, the intervening states claimed to be acting in “support of Resolution 688.” In the latter case, U.K. Foreign Secretary Hurd claimed the intervention was based on “extreme humanitarian need” which legally justified it.328 There was little international criticism.329

The Report of the ICISS does mention two other interventions undertaken by African regional military forces that it sees as possible precedents of unilateral interventions, the 1990 ECOMAG intervention in Liberia and the 1997 ECOWAS intervention in Sierra Leone.330 The Security Council authorized neither. However, in both cases the respective governments requested the intervention, though the requests’ legitimacy is contentious.331 Furthermore, in both cases the interveners did not rely on humanitarian grounds to justify their actions.332 The true milestone was NATO’s 1999 intervention in Kosovo. Kosovo was a province within Serbia. About 90% of the population was ethnic Albanian, 10% ethnic Serb.333 Beginning in the late 1980s, the Serbs conducted severe discrimination against the Albanian population. This led to Albanian resistance that, as of 1996, included a bombing campaign carried out by the Kosovo Liberation Army (KLA).334 The Serbs reacted with indiscriminate attacks.335 In 1998/1999, 2,000–3,000 civilians were killed and about 200,000–300,000 ethnic Albanians were “expelled from their homes.”336 On January 15, 1999, Serb paramilitary forces committed a massacre in Racak, killing 45 civilians.337 In February 1999, the United States and its allies organized a peace conference in Rambouillet, which was unsuccessful.338 While the Security Council had passed resolutions describing the situation in Kosovo as a threat to international peace and security, there was no agreement on whether the use of force was necessary. Security Council authorization was therefore unlikely.339 On March 23, 1999 NATO decided to act unilaterally and, on March 24, 1999, launched an air campaign. NATO’s Secretary General justified the use of force as follows:

All efforts to achieve a negotiated, political solution to the Kosovo crisis having failed, no alternative is open but to take military action. We are taking action following the Federal Republic of Yugoslavia Government's refusal of the International Community's demands: - Acceptance of the interim political settlement which has been negotiated at Rambouillet;

- Full observance of limits on the Serb Army and Special Police Forces agreed on 25 October; - Ending of excessive and disproportionate use of force in Kosovo. As we warned on the 30 January, failure to meet these demands would lead NATO to take whatever measures were necessary to avert a humanitarian catastrophe . . . This military action is intended to support the political aims of the international community. It will be directed towards disrupting the violent attacks being committed by the Serb Army and Special Police Forces and weakening their ability to cause further humanitarian catastrophe.340

International reaction divided along traditional lines. NATO member states, among them the United States, the U.K., Germany, and France, declared the use of force to be legal under international law.341 U.K. Prime Minister Blair articulated this new policy as follows: “The most pressing foreign policy problem we face is to identify the circumstances in which we should get actively involved in other people’s conflicts. Non-interference has long been considered an important principle of international order . . . [a]cts of genocide can never be a purely internal matter.”342 Russia and China, on the other hand, condemned the intervention as unlawful, as did some other states, such as Namibia.343 Beyond the intervention in Kosovo, examples of unilateral humanitarian intervention have remained rare. The British intervention in Sierra Leone in May 2000 is the only subsequent precedent for unilateral humanitarian intervention sometimes mentioned. The British dispatched troops in order to evacuate British and other foreign citizens, but these troops remained in the country in order to stabilize the situation. International reaction to the British intervention was muted or positive. However, the British troops were also complying with a request by the state’s recognized government.344

Nevertheless, despite this paucity of affirmative state practice in support of unilateral humanitarian interventions, western governments claim that such a right now exists. In 2013, the U.K. Ministry of Defence claimed: If there is no U.N. Security Council Resolution for action, the U.K. would still be permitted under international law to take exceptional measures in order to alleviate a humanitarian catastrophe. The U.K.’s position is that such a legal basis is available, under the doctrine of humanitarian intervention, provided three conditions are met . . .345 The 2010 National Security Strategy of the United States contains the following statement:

The United States is committed to working with our allies, and to strengthening our own internal capabilities, in order to ensure that the United States and the international community are proactively engaged in a strategic effort to prevent mass atrocities and genocide. In the event that prevention fails, the United States will work both multilaterally and bilaterally to mobilize diplomatic, humanitarian, financial, and—in certain instances—military means to prevent and respond to genocide and mass atrocities.346

No mention of U.N. authorization is made, an omission repeated in the 2015 National Security Strategy,347 which generally emphasizes that the United States “will pursue multilateral sanctions, including through the U.N., whenever possible, but will act alone,

if necessary.”348 Furthermore, the United States has also intermittently relied on humanitarian reasons to justify its attacks on ISIS forces in Iraq and Syria, although, these actions are part of the broader “war on terror,” generally justified on self-defense grounds. Explaining two military strikes conducted in Iraq in 2014, President Obama stated:

Today I authorized two operations in Iraq—targeted airstrikes to protect our American personnel, and a humanitarian effort to help save thousands of Iraqi civilians who are trapped on a mountain without food and water and facing almost certain death.349

It seems as if the Trump Administration is following its predecessor’s course. Following reports, according to which Syrian President Assad had deployed chemical weapons against his own population, the United States, in April 2017, conducted a missile strike against the Syrian military airbase from which the chemical attack had been launched.350 Secretary of State Tillerson issued a statement justifying the action as follows: “To be clear, our military action was a direct response to the Assad regime’s barbarism.”351 Similarly, speaking prior to the American-British-French attack on Syria in April 2018, following another alleged deployment of chemical weapons by the Syrian government, President Trump said, “This is about humanity. We’re talking about humanity. It can’t be allowed to happen.”352 The British government explicitly invoked a right to humanitarian intervention to justify its airstrikes.353

As was to be expected, others have also begun resorting to humanitarian reasons for intervention. President Putin explained his decision to intervene in Crimea in 2014, among other things, as follows:

We proceed from the conviction that we always act legitimately. I have personally always been an advocate of acting in compliance with international law. I would like to stress yet again that if we do make the decision, if I do decide to use the Armed Forces, this will be a legitimate decision in full compliance with both general norms of international law, since we have the appeal of the legitimate President, and with our commitments, which in this case coincide with our interests to protect the people with whom we have close historical, cultural and economic ties. Protecting these people is in our national interests. This is a humanitarian mission.354 The African Union seems to permit humanitarian interventions explicitly when authorized by that organization. Article 4(h) of its Constitutive Act states: The Union shall function in accordance with the following principles: . . . h. The right of the Union to intervene in a Member State pursuant to a decision of the Assembly in respect of grave circumstances, namely war crimes, genocide and crimes against humanity.355

However, it is not certain this includes the right to use force.356 The African Union has not yet authorized such an intervention, but most scholars argue that Article 4(h) permits military intervention.357 That such an intervention is recommended and its modalities decided by the Peace and Security Council358— supported by the African Standby Force359—strongly implies that military intervention is envisaged. If so, the relationship between the Act’s Article 4(h) and Article 53 of the U.N. Charter seems ambiguous, as the latter would seem to require Security Council authorization of enforcement action by a regional organization.360 In summary, although there is so far not much evidence of state practice in favor of humanitarian intervention without Security Council approval, many, especially Western, states maintain that unilateral interventions comply with international law.

### XT — 1NC 2-3: No Norms/Modeling

1. **Nobody models the US.**

**Payne, 15** - PhD, Professor and Head of the Graduate Department of Defense and Strategic Studies, Missouri State University (Keith, US Nuclear Weapons and Deterrence, <https://www.airuniversity.af.mil/Portals/10/ASPJ/journals/Volume-29_Issue-4/V-Payne.pdf>)

Realists in this regard are from Missouri, the “show me” state, and ask utopians to explain how, why, and when a powerful new cooperative international norm with corresponding international institutions will become a reality. Realists point to the unhappy history of the unmet claims and dashed hopes of the **1928 Kellogg-Briand Pact** (intended to prevent offensive war by global legal agreement), the **League of Nations**, and **the United Nations**. To be sure, the future does not have to be bound by the past, but before moving further toward nuclear disarmament, realists want to see some clear evidence of the emerging transformation of the global order—**not just the claim** that it can occur if all key leaders are so willing, faithful, and visionary and can “embrace a politics of impossibility.”12 As the old English proverb says, “If wishes were horses, then beggars would ride.” But has not everything changed in the twenty-first century? Has not the end of the Cold War ushered in a new global commitment to cooperation, the rule of law globally, and benign conflict resolution? **The unarguable answer is no.** **Russian military actions** against **Georgia** in 2008 and **Ukraine** since 2014 (the latter in direct violation of the 1994 Budapest Memorandum signed by Russia, Great Britain, and the United States) are **sufficient empirical evidence** to demonstrate that **Thucydides’ stark description of reality is alive and well**. **China’s** expansionist claims and military pressure against its neighbors in the East and South China Seas teach the same lesson. **Why is this reality significant in the consideration of nuclear weapons?** Because in the absence of reliably overturning the powerful norm of raison d’État and Thucydides’ explanation of international relations, states with the capability and felt need will **continue to demand nuclear capabilities** for their **own protection** and, in some cases, to provide **cover for their expansionist plans**. To wit, if Ukraine had retained nuclear weapons, would it now fear for its survival at the hands of Russian aggression? Former Ukrainian defense minister Valeriy Heletey and members of the Ukrainian parliament have made this point explicitly, lamenting Ukraine’s transfer of its nuclear forces to Russia in return for now-broken security promises of the Budapest Memorandum.13 This lesson cannot have been lost on other leaders considering the value of nuclear weapons. Nor is it a coincidence that US allies in Central Europe and Asia are becoming ever more explicit about their need for US nuclear assurances under the US extended nuclear deterrent (i.e., the nuclear umbrella). They see no new emerging, powerful global collective security regime or cooperative norms that will preserve their security; thus, they understandably seek the assurance of power, including nuclear power. The Polish Foreign Ministry observed in a recent press release that “the current situation reaffirms the importance of NATO’s nuclear deterrence policy.”14 This reality stands in **stark contrast** to **utopian claims** that powerful **new global norms** and international institutions will **reorder the international system**, overturn Thucydides, and allow individual states to **dispense with nuclear weapons** or the nuclear protection of a powerful ally. As the Socialist French president Francois Hollande has said, “**The international context does not allow for any weakness**. . . . The era of nuclear deterrence is **therefore not over**. . . . In a dangerous world—and it is dangerous—France does not want to let down its guard. . . . The possibility of future state conflicts concerning us directly or indirectly cannot be excluded.”15 There could be no clearer expression of Thucydides’ description of international relations and its contemporary implications for nuclear weapons. Opponents of the administration’s plan to **modernize the US triad** now double down on the utopian narrative by insisting that the United States instead **lead the way in establishing the new global norm** by showing that Washington no longer relies on nuclear weapons and does not seek new ones. Washington cannot expect others to forgo nuclear weapons if it retains them, they say, and thus it must lead in creation of the new norm against nuclear weapons by providing an example to the world. For instance, “by unilaterally reducing its arsenal to a total of 1,000 warheads, the United States would encourage Russia to similarly reduce its nuclear forces without waiting for arms control negotiations.”16 A good US example supposedly can help “induce parallel” behavior in others.17 If, however, the United States attributes continuing value to nuclear weapons by maintaining its arsenal, “other countries will be more inclined to seek” them.18 **Nuclear realists respond**, however, that the United States already has reduced its nuclear forces **deeply** over the last 25 years. America cut its tactical nuclear weapons from a few thousand in 1991 to a “few hundred” today.19 Moreover, US-deployed strategic nuclear weapons have been cut from an estimated 9,000 in 1992 to roughly 1,600 accountable warheads today, with still more reductions planned under the New START Treaty.20 The United States has even decided to be **highly revealing of its nuclear capabilities** to **encourage others to do so,** with **no apparent effect on Russia, China, or North Korea**.21 America has **adhered fully** to the reductions and restrictions of the 1987 Intermediate-Range Nuclear Forces Treaty—the “centerpiece of arms control”—but the **Russians now are in open violation**. As former undersec- retary of state Robert Joseph stated recently, **decades of deep US reductions “appear to have had no moderating effect on Russian, Chinese or North Korean** **nuclear programs**. Neither have U.S. reductions led to any effective strengthening of international nonproliferation efforts.”22 **Utopians** want the United States to lead the world toward nuclear disarmament by its good example, **but no one is following**.

The basic reason, realists point out, is that foreign leaders make decisions about nuclear weaponry based largely **on their countries’ strategic needs**, raison d’État, **not in deference to America’s penchant** for nuclear disarmament or some sense of global fairness. A close review of India by S. Paul Kapur, for example, concluded that “Indian leaders **do not seek to emulate US nuclear behavior**; they formulate policy based primarily on their assessment of the security threats facing India.”23 The same self-interested calculation is true for **other nuclear and aspiring nuclear states.** Nations that are a security concern to the United States seek nuclear weapons to **intimidate their neighbors** (including US allies), to **counter US conventional forces**, and to gain a free hand to press their regional military ambitions. **They see nuclear weapons as their trump cards** and **do not follow the US lead** in nuclear disarmament. A **bipartisan expert working group** at the Center for Strategic and International Studies concluded accordingly that “U.S. nuclear reductions have **no impact on the calculus of Iran and North Korea**.”2

# 1NR

## DA

### 2NC – OV

#### It’s faster – prolif takes 6 months.

Keck ’14 [Zachary; Managing Editor of The Diplomat; 3/18/14; “Japan and China’s Dispute Goes Nuclear”; <https://thediplomat.com/2014/03/japan-and-chinas-dispute-goes-nuclear/>; The Diplomat; accessed 8/27/20; TV]

Many experts believe that Japan could produce nuclear weapons within 6 months of deciding to do so, and some believe that Tokyo is pursuing a “nuclear hedging” strategy. Japan has done little to mollify these concerns. In fact, it has often encouraged them, with a Japanese official recently saying off the record that “Japan already has the technical capability [to build a nuclear bomb], and has had it since the 1980s.”

#### The attempt alone guarantees conflict.

Beauchamp, 16 (Zach, Trump’s comments on Japanese nukes are worrisome — even by Trump standards, http://www.vox.com/2016/3/31/11339040/trump-nukes-japan-south-korea)

For example, if either country does decide to build nuclear weapons, it will take that country some time to develop its program, and to build enough of an arsenal to serve as a reliable deterrent. During this time, adversaries such as China or even North Korea would have an incentive to try to disrupt that development to maintain their nuclear superiority. "You have a Trump presidency ... and he decides to pull out troops from Japan and South Korea, you have Japan and South Korea potentially racing to develop nuclear weapons without the benefit of US troops being there," Miller says. "That provides a lot of incentive for countries in the region like China or North Korea to try to stop that process." As Bell puts it, ominously, "We're talking about the remote possibility of an actual nuclear war between Japan and China." That possibility, it is worth stressing, is indeed extremely remote. The risk is not that, for example, China would simply launch a nuclear war against Japan, which would be far too dangerous and costly to be worth it. Rather, the risk is that, for example, China might try to bully or threaten Japan out of developing nuclear weapons, and that in a period of tension, this bullying could potentially spiral out of control into a full-blown conflict neither side actually wanted. And there are other risks. According to scholars, successful nuclear deterrence results in something called the stability/instability paradox: The fact that major wars are unlikely makes countries feel safer in engaging in small provocations against one another, knowing that nuclear deterrents make those small provocations unlikely to escalate to full-blown war. Consider, for instance, the South and East China Seas — areas where Japan, South Korea, and China have territorial disputes. If the former two powers are nuclear-armed, and unrestrained by the United States, the chances of low-level conflict could go up. "Certainly, we would be worried about these sort of lower-level, stability-instability paradox type things," Bell says. That's not an exhaustive list of things that could happen if Trump were elected and followed through on these policies. Since no one can really know what will happen, there's no sense in listing every single hypothetical possibility. These examples, rather, illustrate just how serious the ideas we're discussing are. It is very easy to detach ourselves from the potential consequences of a Trump presidency: to see his candidacy as clownish, and simply assume that his outlandish policy ideas would never be implemented. But Trump is the leading Republican candidate; it is time to take his ideas seriously. And nothing is more serious than nuclear weapons.

### AT 2AC 1 – Japan Wants the Plan

#### This sari card describes the CP – says we should agree to the Japanese policy on Korean retaliation, NOT that we should limit the activation conditions. The counterplan puts the US in lockstep with Korea without limiting conditions of activation.

**Sari 18** [Aurel Sari, Associate Professor of Public International Law at the University of Exeter, Director of the Exeter Centre for International Law, a Fellow of Supreme Headquarters Allied Powers Europe, and a Fellow of the Allied Rapid Reaction Corp, and Hitoshi Nasu, Professor of International Law at Exeter Law School, Jan 26, 2018, “Collective Self-Defense and the “Bloody Nose Strategy”: Does it Take Two to Tango?,” <https://www.justsecurity.org/51435/collective-self-defense-bloody-nose-strategy-tango/>]

Should this interpretation be correct, it could have far-reaching consequences if the Japanese and U.S. governments were to take different views regarding the legality or strategic wisdom of taking military action against North Korea pursuant to Article V of the 1960 Treaty. In such circumstances, could Japan withdraw its standing request for assistance?

[Michigan’s Card End]

Doctrinal considerations militate against this. If Article V truly reflects an agreement between the two parties on a standing request for assistance in the event that Japan should suffer an armed attack, it would be incompatible with the obligatory nature of such an agreement if Japan were able to unilaterally revoke it (see Judge Sir Hersch Lauterpacht’s separate opinion in Norwegian Loans). Japan either agreed to a standing request or it did not. If it did, the procedure for revoking it is to be found in Article X of the 1960 Treaty, which permits Japan to give notice of its intention to terminate the Treaty, whereupon the Treaty would terminate one year after such notice has been given.

However, such an eventuality would be catastrophic to the stability of the Asia-Pacific, given the pivotal role the Japanese-U.S. alliance has played for the maintenance of peace and security in the region. A more compelling avenue is to argue that reliance by the U.S. on the right to use force in the collective self-defense of Japan under Article V of the Treaty against the express wishes of the Japanese government would be contrary to the object and purpose of the Treaty, which is to facilitate mutual cooperation in dealing with the common dangers affecting the peace and safety of the two nations. Putting aside the legal questions, we should not lose sight of the broader strategic and political context: There are good policy reasons why the U.S. should act in concert with, rather than in opposition to, Japan.

### AT 2AC 3 – No Change the Defense Pact

#### Consent doctrine – its totally unexplained and is defacto abandonment. Retroactive, proactive contiguous consent are all conflicting possibilities – Japan will think the US uses “lack of consent” as a convenient excuse to not get involved. Their own “solvency” card says its difficult

**Heller 20** [Kevin Jon Heller, Associate Professor of International Law, University of Amsterdam; Professor of Law, Australian National University, “THE UNLAWFULNESS OF A BLOODY NOSE STRIKE ON NORTH KOREA,” Amsterdam Law School Legal Studies Research Paper No. 2020-04, Amsterdam Center for International Law No. 2020-03]

The problem here, of course, is a factual one. To date, North Korea has not launched an armed attack against Japan, via missile or otherwise. That does not mean Japan could not attack a military installation in North Korea that was about to launch an armed missile, but Japan’s evidentiary burden89 to prove an armed attack was imminent would be difficult to satisfy. A State that has never been the victim of an armed attack should be held to a higher standard of proof regarding imminence than a State that has already been attacked.90 At this point, Japan still faces the more significant evidentiary burden, and as noted earlier, there is no indication that North Korea views its missile launches as anything more than saber-rattling. Unless that changes, there is no plausible legal basis for Japan to ask the United States to help it do anything more than intercept a North Korean missile it fears might be armed.

#### Asian treaty commitments are ironclad – reneging signals the US won’t stand by its commitments.

Lopez ’14 [Tony; citing statements from President Barack Obama and Prime Minister Shinzo Abe; 5/2/14; “Absolute versus ironclad”; <https://www.manilastandard.net/opinion/columns/virtual-reality-by-tony-lopez/146452/absolute-versus-ironclad.html>; Manila Standard; accessed 10/28/20; TV]

President Barack Obama’s four-nation, seven-day Asia Spring Trip on April 22-29, can be summed up in two words—absolute and ironclad. Absolute was the word the American president used when he told an April 24 Tokyo press conference held jointly with Japanese Prime Minister Shinzo Abe “our treaty commitment to Japan’s security is absolute”, adding “Article 5 covers all territories under Japan’s administration, including the Senkaku Islands.” The Senkakus (Daiyoutai to the Chinese) are a group of uninhabited islands under control by Japan since 1895 but under the administration of the US from 1945 to 1972 before they were turned over to Tokyo. China disputed that turnover and since then has claimed the islands. Allies never stand alone In Manila on his last day, April 29, of his week-long trip, Obama told enthusiastic Filipino and American troops at suburban Fort Bonifacio the US commitment to Philippine security is ironclad. He declared: “Let me be absolutely clear. For more than 60 years, the United States and the Philippines have been bound by a mutual defense treaty. And this treaty means our two nations pledge—and I’m quoting—our “common determination to defend themselves against external armed attacks, so that no potential aggressor could be under the illusion that either of them stands alone.” In other words, our commitment to defend the Philippines is ironclad and the United States will keep that commitment, because allies never stand alone.” Some critics think the word “ironclad” does not really add any more meaning or assurance to the American commitment under the Philippine-US Mutual Defense Treaty of 1951. Obama says the MDT is the oldest US defense treaty with any ally in Asia. Conveniently vague are two articles of the MDT. Article IV states that that “an armed attack in the Pacific Area on either of the Parties would be dangerous to its own peace and safety and declares that it would act to meet the common dangers in accordance with its constitutional processes.” For the purpose of Article IV, Article V says “an armed attack on either of the Parties is deemed to include an armed attack on the metropolitan territory of either of the Parties, or on the island territories under its jurisdiction in the Pacific or on its armed forces, public vessels or aircraft in the Pacific.” Metropolitan territory refers to the Philippine territory under the Treaty of Paris of 1898, according to experts. It does not include the Paracel Islands (Xisha to the Chinese) northwest of the Philippine archipelago, Scarborough Shoal in the east; and the Spratly islands in the southeast. The Paracels are claimed by Vietnam. Scarborough and Spartlys are within the 200-mile Philippine Exclusive Economic Zone but the Philippines has no ironclad or absolute sovereignty over them. “Constitutional processes” means the President of the US (POTUS) has to ask the US Congress to declare war against a state which attacks the Philippine metropolitan territory. Thus, it means an attack on the Philippines will not draw any automatic attack from the US. The limitation is, to use Obama’s word, “ironclad”—metropolitan territory, island territories under its jurisdiction, in accordance with constitutional processes. So before the US could counterattack, the enemy invasion or attack would have been in full swing or a reality. On Nov. 11, 2011, on the 60th anniversary of the MDT, the Philippines and the US reaffirmed “our shared obligations under the Mutual Defense Treaty.” The so-called Manila Declaration was signed on the deck of the U.S. guided missile destroyer USS Fitzgerald, docked in Manila, by Philippine Foreign Secretary Alberto del Rosario and then US Secretary of State Hillary Clinton. Again, that declaration didn’t really add any more meaning or clarification to the 1951 MDT. Plainly, the US commitment to Japanese security is absolute because a US counterattack is not subject to any legislative red tape and the US needs Japan to help it counter- balance China’s emergence to global superpower status and Asia’s undisputed power. For its regional policing role, Japan has the money, essential given that the Pentagon is in a defense spending cutback mode. The US commitment to Manila is based more on sentimentality and friendship what Obama calls Kalooban (inner spirit). Said PM Abe at their Tokyo press conference with Obama: “The Japan-U.S. alliance would play a leading role in ensuring peace and prosperity of the Asia Pacific.” “On China, Abe said, “based on the rule of law, a free and open Asia Pacific region will be developed and we would try to engage China in this region.” He said he and Obama “would clearly oppose moves to try to change the status quo through coercion and intimidation.” The US has no official position on the merits of the competing sovereignty claims on Senkaku, but the islands are included within the Treaty of Mutual Cooperation and Security between the US and Japan (signed in San Francisco in 1952 and amended in 1960). With the treaty, any attack against Japan or the US perpetrated within Japanese territorial administration would be dangerous to the respective countries’ own peace and safety and requires both countries to act to meet the common danger. This explains why the US has bases in Japan.

#### Wavering in the US treaty commitment incites prolif.

Mandelbaum ’19 [Michael; Christian A. Herter Professor Emeritus of American Foreign Policy at The Johns Hopkins University School of Advanced International Studies; 11/22/19; “Japan Confronts a Nuclear Future”; <https://www.the-american-interest.com/2019/11/22/japan-confronts-a-nuclear-future/>; The American Interest; accessed 10/28/20; TV]

In response, Japan has deployed ballistic missile defense systems to shoot down incoming rockets; but the more bombs North Korea can use in an attack the less likely it becomes that the defensive systems can prevent a nuclear explosive from striking Japanese territory and inflicting horrific damage. The Japanese have therefore begun to debate whether successfully preventing a North Korean attack requires not only a defense against it but also the capacity to retaliate against North Korea itself or even to launch a preemptive attack. The stable deterrence of war during the Cold War, after all, rested on the ability of both the United States and the Soviet Union to retaliate against the other in response to an attack. Retaliation or preemption would in turn require the kinds of ballistic missiles that Japan could certainly develop but currently lacks.

The Japanese-American Security Treaty commits the United States to defend Japan, and it is American military forces that have deterred North Korea. If and when North Korean nuclear-tipped missiles can reach the United States, however, the Japanese will have to decide whether American deterrence will remain credible and therefore effective. For in that case a conflict involving North Korea in which the United States becomes involved might prompt the communist regime in Pyongyang to launch a nuclear attack on North America; and the prospect of such an attack might weaken the American resolve to defend its Japanese ally. Moreover, the Japanese, like other American allies, are already nervous about the willingness of the United States defend them because of the statements of the current American president questioning the value of America’s overseas commitments. With the North Korean nuclear threat growing and American protection uncertain, a serious discussion about acquiring nuclear weapons for the purpose of checking the communist regime in Pyongyang will be difficult for Japan to avoid.

China, too, poses a threat to Japan—in important ways an even more serious threat than does North Korea. As its economy has grown, Beijing’s ambitions to dominate East Asia, supplanting the United States as the major military power there, have similarly expanded. As well as possessing nuclear weapons, China’s communist government has invested in more numerous and more advanced military hardware, which has given the country an already formidable and still-growing navy.

Both China and Japan claim ownership of eight small, uninhabited, Japanese-controlled islands known as the Senkakus (they are called the Diaoyu by the Chinese), which are located in the East China Sea roughly halfway between the two countries. In recent years China has increased its maritime presence in the waters surrounding them, leading to fears that the Chinese navy might one day try forcibly to seize them. In such an eventuality, as with North Korea, Japan would have to depend on the United States for military support; but as in the Korean case, the combination of increasing Chinese military power and doubts about American reliability lead to the question of how Japan could supplement, if not replace entirely, American military might.

Japan has begun to cooperate militarily with other Asian countries that share its concerns about China, but such ties will not provide a full-fledged substitute for the American alliance. As a rich country that had, in the 1930s and 1940s, a powerful navy, Japan could certainly amass naval forces on a par with those that China deploys; but the necessary buildup would take a large financial commitment and years to accomplish. In 2018-2019 China spent $175 billion on its military while Japan’s total defense spending was $47 billion. The quickest, cheapest, and technologically most feasible way for Japan to offset Chinese power would be to acquire nuclear weapons.

The great English economist John Maynard Keynes, criticized for having altered his opinion on an economic matter, is supposed to have relied, “When the facts change, I change my mind. What do you do, sir?” While the people and the government of Japan remain viscerally opposed to the acquisition of nuclear weapons, the facts of international life in Northeast Asia are changing rapidly; and these changes may force the Japanese, on this issue, with great reluctance, to change their minds.

### AT 2AC 5 – Thumpers

#### It speculates on who Abe’s successor is – newsflash, its Suga and he’ll maintain the alliance.

Gunia ‘9/17 [Amy; political reporter; 9/17/20; “Yoshihide Suga Is Japan's New Prime Minister. Here's What That Means for the U.S.”; <https://time.com/5888989/yoshihide-suga-japan-new-prime-minister/>; Time Magazine; accessed 9/17/20; TV]

Still, Suga’s role as Abe’s right-hand man for the last eight years means he has a strong understanding of how to manage the relationship with the U.S., says Yoshikazu Kato, an adjunct associate professor at the University of Hong Kong’s Asia Global Institute.

The White House said in a statement that Trump “looks forward to working with Prime Minister Suga to make [relations] even stronger.”

“Suga is less outgoing than Abe, but he knows what he has to do—at least until November,” Michael J. Green, senior vice president for Asia and the Japan Chair at the Washington D.C-based think-tank the Center for Strategic and International Studies (CSIS), tells TIME. “One of [Suga’s] most important jobs for the near term will be managing the constant insults and unpredictability of President Trump.”

The benefits of Abe’s U.S. charm offensive are also up for debate. Trump still imposed aluminum and steel tariffs on Japan, strong-armed Abe into a one-sided trade deal and proposed to quadruple the $2 billion Japan pays for hosting U.S. troops in the country. And Trump withdrew the U.S. from the Trans-Pacific Partnership, a big regional trade deal that Japan had promoted as a way of containing China’s growing influence.

Still, Suga is not a completely unknown quantity in Washington, and has already built relationships with some top U.S. officials. He met U.S. Secretary of State Mike Pompeo in Tokyo in 2018, and visited Washington D.C. last May, meeting Vice President Mike Pence (at the time, Suga’s visit sparked speculation that he was being groomed for a bigger role).

Experts say Suga will be closely watching the U.S. election to determine what a Biden presidency might mean for Japan.

“Japan is greatly interested in the U.S. election because Mr. Biden’s direction toward China affects Japan greatly,” says Mieko Nakabayashi, a professor at Waseda University in Tokyo. “Japan wants the U.S. to deter China’s military aggression in Asia.”

#### this card is about trump’s pressure– biden solves.

Isabel Reynolds,Kanga Kong, 11-12-2020, "Biden Reassures Japan, South Korea Over Alliance Commitment," Bloomberg, https://www.bloomberg.com/news/articles/2020-11-12/japan-leader-says-biden-agreed-treaty-covers-china-claimed-isles

U.S. President-elect Joe Biden assured the leaders of Japan and South Korea of his commitment to alliances with the two Asian nations in phone calls on Thursday morning, signaling that he will pursue a markedly different strategy from Donald Trump.

Biden told Japanese Prime Minister Yoshihide Suga that the security treaty between the two countries covers East China Sea islands also claimed by China. In a separate call with South Korean President Moon Jae-in, Biden reaffirmed his commitment to defending South Korea and resolving North Korea nuclear issues together, calling the country a “linchpin” for regional security.

Both Tokyo and Seoul are in talks with the U.S. about the so-called “host-nation support” they pay for tens of thousands of U.S. troops based on their territory. Trump has pressed both allies for far more money, using the threat of cutting troop numbers as leverage. Biden said in an article he contributed to South Korea’s Yonhap news agency last month that he wouldn’t “extort” Seoul.

### AT 2AC 7 – Cred

#### Critiques of credibility theory fall prey to the ivory tower, overlooking the complexity of inter-state interactions and dismissing a vast body of studies and empirics.

Brands et al. ’18 [Hal Brands, Eric Edelman, Thomas G. Mahnken; Henry A. Kissinger Distinguished Professor of Global Affairs at the Johns Hopkins School of Advanced International Studies, Senior Fellow at the Center for Strategic and Budgetary Assessments, PhD from Yale University; Counselor at the Center for Strategic and Budgetary Assessments, former Under Secretary of Defense for Policy and US Ambassador to Turkey and Finland; President and Chief Executive Officer of the Center for Strategic and Budgetary Assessments, Senior Research Professor at the Philip Merrill Center for Strategic Studies at The Johns Hopkins University's Paul H. Nitze School of Advanced International Studies; 5/8/18; “Credibility Matters: Strengthening American Deterrence in an Age of Geopolitical Turmoil”; <https://csbaonline.org/research/publications/credibility-matters-strengthening-american-deterrence-in-an-age-of-geopolit>; Center for Strategic and Budgetary Assessments; accessed 8/28/20; TV]

A later generation of scholars, however, departed from Schelling’s analysis. Few scholars question the importance of credibility per se, if credibility is defined as the perception that the United States will act to defend its key interests. What they have critiqued, rather, is the idea that establishing credibility requires regular demonstrations of American resolve, particularly through the use of force. Some scholars have noted, for instance, that concerns with resolve and credibility led the United States to undertake policies—such as escalation in Vietnam—that incurred losses far out of proportion to the reputational gains.16 Others claimed to find little evidence that past demonstrations of resolve actually mattered in affecting opponents’ calculations of credibility. In one widely read study, Daryl Press contended that Western appeasement of Hitler at Munich had little or nothing to do with his subsequent aggression, and that Nikita Khrushchev’s repeated climb-downs on Berlin and other issues in the late 1950s had scant impact on Western perceptions of his resolve.17 Press and other scholars argued that other variables—the balance of capabilities and the perceived importance of the interests at stake—were paramount in determining perceptions of credibility.18 Other scholars have made similar arguments, claiming that “politicians’ persistent belief in the value of reputation for resolve is merely a cult of reputation,” or even, in an extreme form, that “credibility is an illusion—and an exceptionally dangerous illusion at that.”19

Such doubts may be most prevalent within the ivory tower, and relatively few policymakers would share academics’ skepticism about the importance of credibility and demonstrations of resolve.20 Yet it is worth nothing that a similar skepticism has emerged in some surprising quarters of the policymaking community of late. As Jeffrey Goldberg wrote in 2016, then-President Obama believed that the U.S. foreign policy community “makes a fetish of ‘credibility’—particularly the sort of credibility purchased with force.” As the president acidly remarked, “Dropping bombs on someone to prove that you’re willing to drop bombs on someone is just about the worst reason to use force.”21

It would require an extended essay to adjudicate these debates regarding credibility and its constituent parts. Yet three key points can briefly be made here. First, and most important, the more extreme critiques of credibility and U.S. policymakers’ preoccupation therewith are badly overstated. For one thing, accepting that credibility is an illusion, or that past behavior has no impact on perceptions of an actor’s subsequent credibility, requires accepting that normal rules of human interaction—in which past behavior is crucial to expectations about future behavior—are simply suspended in the international arena. If a person reneges on a commitment, his peers and interlocutors will likely doubt his sincerity with respect to other commitments; there is no logical reason to suspect that similar patterns do not prevail in international politics. For another thing, deeming credibility an illusion requires accepting that virtually all U.S. officials who think otherwise—in part because they know, from experience, that U.S. allies as well as adversaries are constantly assessing recent American behavior in hopes of divining what Washington will do in the next crisis—are simply mistaken. Not least, there is now considerable historical analysis and evidence illustrating that credibility does matter and past actions do indeed affect reputations. Scholars have convincingly argued that:

• Ronald Reagan’s decision not to retaliate meaningfully for Hezbollah’s attacks on the Marine barracks in Beirut in 1983 had a corrosive effect on how other terrorists and state sponsors perceived U.S. intentions. When U.S. officials threatened Syrian president Hafez al-Assad with retribution if he did not cease supporting Hezbollah, for instance, Assad replied that he did not credit American threats.22

• Conversely, the U.S. willingness to defend South Korea in 1950 influenced Soviet perceptions of American resolve to resist further East bloc military advances. As William Stueck writes in his definitive history of the Korean War, “Stalin’s immediate successors learned the lesson that to arouse the United States from a slumber through blatant military action could prove a costly mistake. It would take more than a generation and a new group of leaders before the Soviet Union would run a repeat performance.”23

• The U.S. withdrawal from Vietnam did encourage additional East bloc challenges in the Third World—in Angola, for instance—by signaling a declining U.S. willingness to act decisively to head off Soviet and Cuban advances in peripheral areas.24

• John F. Kennedy’s perceived irresolution in handling the Bay of Pigs invasion encouraged Khrushchev to bully him at the Vienna Summit in 1961. His actions there and in response to the construction of the Berlin Wall also influenced the Soviet decision to place missiles in Cuba a year later.25

• Early U.S. irresolution and failure to make good on coercive threats in dealing with the Balkan crisis in the early 1990s led actors in that crisis to doubt subsequent U.S. promises and threats. Later shows of resolve, by contrast, had a constructive impact on the subsequent behavior of those actors. “Whenever US officials failed to respond to probes and challenges, violence escalated. When resolve was demonstrated through mobilizing military forces or airstrikes, escalation was controlled.”26

• Tepid U.S. responses to al-Qaeda attacks during the 1990s, along with the U.S. withdrawal from Somalia following the deaths of less than 20 American servicemen in 1993, encouraged Osama bin Laden to escalate his strikes in the belief that the United States would react to a shocking attack on the homeland by withdrawing from the greater Middle East.27

Moreover, and notwithstanding the academic skepticism discussed above, there has also emerged a growing body of social science literature in recent years indicating that the extreme critiques of credibility are unpersuasive, because past actions and demonstrations of resolve do influence subsequent expectations. Studies have shown that:

• “States that have honored their commitments in the past are more likely to find alliance partners in the future. Conversely, alliance violations decrease the likelihood of future alliance formation.”28

• Backing down in a dispute with a given challenger increases the likelihood that the challenger “will escalate the current dispute,” whereas an effective response that forces the challenger to back down decreases the likelihood that the challenger will subsequently escalate. In other words, retreating now encourages more severe challenges later; resisting now can have the opposite effect.29

• “A defender that enjoys superiority in military resources but does not use force in some manner in a current conflict is at a higher risk of experiencing a re-challenge than is a defender that enjoys military superiority and uses it in some.” In essence, demonstrations of resolve through the use of force are important in shaping the future behavior of adversaries.30

• “Behavior in earlier conflicts . . . becomes the basis for inferring likely behavior in response to subsequent challenges. . . . A country that yielded in a dispute in the previous year is more than two and one-half times as likely to be challenged than is a country that has not yielded in the previous ten years.”31

In short, there is good reason to think that credibility and resolve are more than mere figments of policymakers’ imaginations.

#### Especially true for Japan – even Syria sparked backlash.

Brands et al. ’18 [Hal Brands, Eric Edelman, Thomas G. Mahnken; Henry A. Kissinger Distinguished Professor of Global Affairs at the Johns Hopkins School of Advanced International Studies, Senior Fellow at the Center for Strategic and Budgetary Assessments, PhD from Yale University; Counselor at the Center for Strategic and Budgetary Assessments, former Under Secretary of Defense for Policy and US Ambassador to Turkey and Finland; President and Chief Executive Officer of the Center for Strategic and Budgetary Assessments, Senior Research Professor at the Philip Merrill Center for Strategic Studies at The Johns Hopkins University's Paul H. Nitze School of Advanced International Studies; 5/8/18; “Credibility Matters: Strengthening American Deterrence in an Age of Geopolitical Turmoil”; <https://csbaonline.org/research/publications/credibility-matters-strengthening-american-deterrence-in-an-age-of-geopolit>; Center for Strategic and Budgetary Assessments; accessed 8/28/20; TV]

The second and higher-profile incident involving Syria was the infamous “red line” episode of 2013. The year prior, Bush’s successor, President Barack Obama, had casually announced that the use or large-scale movement of chemical weapons by the Assad regime would cross an American “red line” and thus merit an unspecified but presumably significant military response. After a series of relatively small-scale chemical attacks in early 2013, the regime then carried out a massive attack in the Damascus suburb of Ghouta in August 2013, causing over a thousand civilian deaths. The Obama administration subsequently prepared to take punitive military action against Assad, with the Pentagon winding up for airstrikes and U.S. officials publicly arguing that Washington’s credibility—both as guarantor of the international norm against chemical weapons usage and protector of the international order more broadly—was on the line. “It is directly related to our credibility and whether countries still believe the United States when it says something,” Secretary of State John Kerry remarked.56 In the event, however, Obama drew back from military action after the United Kingdom dropped out of the coalition, after the president then surprised his own advisers by seeking congressional authorization for a strike, after it became clear that such authorization was unlikely, and then, finally, after the Russian government interceded by offering to broker a diplomatic solution. The resulting arrangement rid Assad of some but not all of his chemical weapons stockpiles—as demonstrated when the regime again undertook a massive chemical weapons attack on the civilian population in early 2017. The September 2013 deal with Russia and Assad definitively averted U.S. military action that was, in all likelihood, not forthcoming at this point in any event.57

Critics of the Obama administration seized on the episode—both the slapdash quality of American decision-making and the ultimate outcome of the affair—as evidence of the administration’s fecklessness. Government officials and Obama supporters, by contrast, argued that U.S. credibility had not been undermined—because, in their view, American coercive threats had produced the eventual settlement—and claimed that concerns about reputation and credibility were overdone.58 Obama, for his part, later referred to the incident as one of his proudest moments, because he was able to pull back from military involvement in a complex Middle Eastern civil war and rid Syria of some 1300 tons of chemical weapons.59 Sorting out whether Washington gained more than it lost in the red line incident would require more extensive analysis. What is clear is that the incident fostered a widespread perception that the United States was unenthusiastic at best about enforcing its own commitments via military action, and that it had thereby undercut America’s reputation for decisive action in international affairs.

Chuck Hagel, Obama’s Secretary of Defense at the time, later said that “our adversaries were watching this too,” and that “we were losing credibility everywhere in the world” as a result of the outcome.60 Kerry had remarked before the planned strikes that the “credibility and future interest of the United States of America and our allies” were implicated, and that “our interests would be seriously set back in many respects if we are viewed as not capable, or willing, most important, to follow through on the things that we say matter to us.”61 Looking back on the incident, Kerry later acknowledged that the failure to strike “cost us significantly in the region. And I know that and so does the president. . . . Perception can often just be the reality.”62 Indeed, several U.S. partners in the Middle East—particularly in the Persian Gulf—were reportedly surprised and unsettled by the lack of military action to enforce the red line. (Although none of those partners were willing to participate in the airstrikes, some of them were, reportedly, willing to pick up the financial tab for U.S. operations.63) “Iran is the new great power of the Middle East,” the Saudi ambassador in Washington reportedly lamented, “and the U.S. is the old.”64

Such concerns even spilled over beyond the region. French President Francois Hollande commented that “this signal was interpreted as weakness from the international community,” and Japanese defense experts reportedly fretted about what the episode indicated regarding U.S. red lines in the Asia-Pacific region.65 “If you are not going to enforce red lines you should not talk about [them],” one Japanese observer commented.66 Likewise, another report indicated that U.S. allies in the Asia-Pacific “have privately expressed fears that Washington might similarly abandon its defense commitments to them if North Korea or China attacked.”67 These reactions should not have been surprising to U.S. officials, for even Obama had argued that U.S. credibility was on the line prior to drawing back from action: “It’s important for us to recognize that when over a thousand people are killed . . . and there is no action, then we’re sending a signal that that international norm doesn’t mean much. And that is a danger to our national security.”68 This is not to say, of course, that U.S. action in Syria in 2013 would have deterred Vladimir Putin from annexing Crimea in 2014, as some observers have argued. But it is more plausible that U.S. abstention created a more inviting context for Putin to use force in Syria in 2015. More broadly, it appears evident that global perceptions were affected by the red line episode.

### AT 2AC 8 – No Prolif

#### Security shifts drastically change public support for nukes.

Newman ’19 [Sean A; Lieutenant in the United State Navy, MA in Security Studies from the Naval Postgraduate School; September 2019; “Japan and the Bomb: Perspectives from South Asia”; <https://calhoun.nps.edu/bitstream/handle/10945/63489/19Sep_Newman_Sean.pdf>; NPS Theses and Dissertations; accessed 8/25/20; TV]

Despite Japan’s model support for the international non-proliferation regime, the historical evidence suggests Japan is not singularly guided by the trauma of being an atomic victim. First, the Japanese public and policymakers are sensitive to security concerns. Support for nuclear weapons actually increases during periods of insecurity. Second, Japan adopted non-nuclear agreements only after national security concerns were addressed and within the context of political maneuvering. Rather than enthusiastically joining the nonproliferation regime, Japan cautiously weighed its options and ensured its security requirements were met. Only then did Japan enthusiastically adopt its role as a model nonproliferator.

The Japanese public has historically maintained a low level of public support for nuclear weapons.88 However, the polling data suggests they nonetheless remain sensitive to security concerns. Nearly a decade following Hiroshima but prior to China’s first nuclear test in 1964, public support for nuclear weapons was weak with only a quarter of Japanese supporting nuclear acquisition.”89 However, as security concerns increased following China’s nuclear test, the Japanese public and its policymakers in particular had begun to envision the possibility of Japan becoming a nuclear armed state. By the end of the 1960s, “77 percent (of Japanese) predicted that Japan would have nuclear weapons by 2000.”90 A 1972 poll found that “only 45 percent of Liberal Democratic Party (LDP) members thought Japan should absolutely not arm itself.”91 While numbers against nuclear weapons were significantly higher among other political parties including the Socialist and Communists, polls suggest opposition to nuclear weapons was neither universal nor absolute. In fact, one scholar has suggested that in the aftermath of China’s nuclear test Japan felt a tangible sense of “growing ‘nationalist pragmatism’ that had overcome ‘moral disgust’ and increased the numbers of nuclear weapons advocates.”92 Another scholar, writing in the 1970s “estimated that a popular majority might have supported an LDP initiative for nuclear armament in the 1960s in the aftermath of China’s nuclear test.”93 As SinoJapanese relations improved through the ’70s and ’80s, the U.S.-Japanese relationship matured, and non-nuclear institutions further shaped Japanese identity, consequently, support for nuclear weapons fell again. By 2014, fully 80 percent of the Japanese public were reportedly opposed to Japan becoming a nuclear weapons state.94 Today, Japan is firmly opposed to nuclear weapons; however, the evidence suggests these views are not fixed and sensitive to security conditions.

#### Article IX and atomic energy laws won’t constrain nuclear breakout.

Newman ’19 [Sean A; Lieutenant in the United State Navy, MA in Security Studies from the Naval Postgraduate School; September 2019; “Japan and the Bomb: Perspectives from South Asia”; <https://calhoun.nps.edu/bitstream/handle/10945/63489/19Sep_Newman_Sean.pdf>; NPS Theses and Dissertations; accessed 8/25/20; TV]

An alternative explanation for Japan’s decision not to adopt nuclear weapons is the impact of certain institutions in dampening nuclear motivations including the Basic Law on Atomic Energy and Article IX of the Japanese Constitution.133 However, neither is likely to represent a formidable constraint should Japan pursue nuclear weapons. In periods of heightened security, Japan’s political system has reshaped its jurisprudence to conform with national requirements. In periods of nuclear deliberation, there is little evidence to suggest domestic law or institutions have represented an important constraint to Japanese proliferation.

Article IX of the Japanese Constitution prohibits Japan from using war as a method to settle disputes. Yet, Article IX of Japan’s Constitution has not dictated Japan’s nuclear decision-making. Rather, it tends to act as a constraint only in-so-much as a particular administration construes it to be one. And often it is construed in such a manner as to ensure Japan can legitimately refuse a role in U.S. foreign policy adventures that are not in Japan’s core interests. For example, Article IX was initially understood to prevent Japanese nuclear acquisition. However, by 1970 the Japan Defense Agency “formalized…[a new] interpretation in doctrine, stating that it is possible in a legal sense to possess a small-yield nuclear weapon without violating the Constitution.”134

Article IX has not only been construed to allow Japan to acquire a nuclear weapon but, increasingly, to expand or constrain its military authorizations depending on the circumstances. The Cabinet Legislation Bureau (CLB), an executive institution, has historically provided legal interpretations of Article IX. In 1955, the CLB modestly interpreted the Constitution as allowing Japan to maintain a security as long as it was not in excess of the “minimum necessary level.”135 However, CLB interpretations of Article IX have evolved based on expanding security needs. Most recently, with tensions flaring between Japan, North Korea and China, the CLB generously expanded its interpretation to align with Prime Minister Abe’s more expansive views of national defense to include the right to collective defense.136 In many instances Article IX has been used to keep the U.S. at arm’s length and shelter Japan from entrapment within the alliance. During American-led war in Vietnam and Korea, Japan repeatedly invoked Article IX as constraining their ability to contribute fighting forces. Far from a constraint, Article IX has shown itself to be a flexible instrument for Japan to dictate the terms of its alliance with the United States.

A second law, the Basic Law on Atomic Energy of 1955, is also alleged to be a constraint on Japanese nuclear ambitions. The law establishes that “the research, development, and utilization of atomic energy must be limited to peaceful purposes and carried out independently under democratic management.”137 Effectively, the law requires that any change to Japan’s nuclear stance require a parliamentary vote. If Japan considered nuclear breakout, the law could act as a roadblock that, alongside the Atomic Energy Commission that enforces it, would deter policymakers from pursuing the nuclear option.138

While, the Basic Law on Atomic Energy could complicate Japanese nuclearization, there is little evidence it acted as a central factor motivating Japan’s past decision making. Japanese cost/benefit studies have not included domestic laws or institutions including the Basic Law on Atomic Energy as a barrier to Japanese nuclearization in their analysis. While the analyses speak vaguely of negative domestic political consequences, there is no evidence domestic law has been considered a particularly acute constraint. In making their decision, Japanese nuclear cost/benefit analyses focused on broad concerns: fear of Chinese nuclear blackmail, international opprobrium, the potential for a regional arms race and harm to the U.S.-Japan alliance.139 One can imagine a scenario in which a particularly aggressive Japanese Prime Minister undertakes the politically divisive decision to pursue nuclear weapons against the will of the Diet. In such a case, the Basic Law on Atomic Energy could act as a tool to constrain the Prime Minister and force the Prime Minister to confront the legislature in his pursuit of nuclear weapons. Otherwise, if the Prime Minister and the Diet are acting in harmony, there is no reason to believe the Diet would not overturn the law. It is more likely the law will act as a bellwether for Japan’s larger view on nuclear acquisition than a constraint.

#### All impact defense about Japanese nuclear abstinence assumes a robust US security guarantee.

Newman ’19 [Sean A; Lieutenant in the United State Navy, MA in Security Studies from the Naval Postgraduate School; September 2019; “Japan and the Bomb: Perspectives from South Asia”; <https://calhoun.nps.edu/bitstream/handle/10945/63489/19Sep_Newman_Sean.pdf>; NPS Theses and Dissertations; accessed 8/25/20; TV]

A scenario in which Japan acquires nuclear weapons would probably require both a change in Japan’s security and domestic political environment. However, in the absence of U.S. leadership it is not a foregone conclusion Japan will remain non-nuclear. In the near term, Japan faces serious economic difficulties arising from sluggish growth, debt obligations, and an aging populace.288 Japan’s Yoshida doctrine has always rested on the understanding that Japan would surrender a measure of defense capability to the United States in return for economic benefits. Since the 1950s, Japan’s right wing has successfully marginalized its more militant members by pointing to the tangible economic benefits of the Yoshida doctrine. The diminishment of the U.S. alliance alongside stagnating economic gains could upset the foundations of the political consensus underlying the doctrine. Similarly, while to-date Japanese mainstream politics have remained relatively free from the contemporary rise of right-wing populism, there are some indications Japanese rightwing nationalism is on the rise.289 The dissolution of the Yoshida doctrine, relative decline in Japan’s international position and frustration with conditions at home could create fertile conditions for a government to recast Japan’s military strategy.

It is not farfetched to conceive of a scenario in which a right-wing Japanese politician comes to power under the banner of a more strident, aggressive national strategy. Espousing a narrative that cast blame for Japan’s sagging fortunes abroad while fanning the flames of nationalism, Japan’s nationalist government would begin to use benign terms like “normalization” to explain its re-writing of defense policies. Elements of Japan’s rightwing have long believed Japan should possess a nuclear weapon that ensures Japanese defense and reflects Japan’s status in the international system. In this new environment, politicians that had here-to-fore quietly held the belief Japan should possess a nuclear weapons program might be emboldened to make their positions known. A right-wing Japanese government could, like India’s BJP, make the political calculation that acquiring a nuclear weapons capability would act as a strong political symbol at home and abroad of renewed Japanese strength and sovereignty.

There is nothing inevitable about Japan’s current non-nuclear policy. In the aftermath of China’ nuclear testing and without American security guarantees, Japan felt compelled to acquire or at least move closer to acquiring a nuclear weapon in the mid1960s, and this sense of insecurity could compel Tokyo to think about pursuing nuclear weapons again if Japan though it lacked sufficient guarantees from the United States. There are few, if any, technical hurdles to Japan acquiring a bomb; Japan has only lacked the political will to do so. While Japan’s position on nuclear weapons is multi-fold, the central pillar of its abstinence is the U.S.-Japan alliance. Japan’s security environment remains complex and will remain so for the foreseeable future. China, Japan’s enduring rival and chief reason for exploring the nuclear option in the 1960s, has only grown in relative strength and military capability. Japan has largely hedged against China’s rising strength by leaning into its relationship with the United States. The United States should not take Japan’s current strategy for granted. Political statements and gestures interpreted as undermining the strength of the alliance, particularly for short-term, electoral gain at home are counterproductive and damaging. Threatening abandonment in the hope of inducing Japan to contribute additional resources to national security undermines essential trust in the relationship. If the United States seeks to ensure Japanese does not acquire the bomb, it must remain committed to the U.S.-Japan alliance and continue to communicate its steadfast commitment to Japanese security.

# 2NR

## DA

### 2NR – AT: Troops

#### Treaties, not troops key. New force projection tech means we can deploy anywhere, it whether or not we have treaty commitments to do so. Their ev relies on outdated models.

Todd C. Lehmann, Ph.D. Candidate, University of Michigan, ’19, “Projecting Credibility: Alliance Commitments, Limited Security Partnerships, and International Crisis Responses” https://static1.squarespace.com/static/5a08c91fd55b418f042e9bcc/t/5da63105b1e0c47529e6683a/1571172615433/Lehmann+-+Projecting+Credibility+v5.pdf

Force projection and military troop deployments are a common method states use to pursue their foreign policy interests, respond to international crises, and signal commitments to their allies. In order to demonstrate that an alliance commitment is credible, states must issue costly signals—i.e., information that communicates that a state will use force if a “red line” is crossed, and which is costly enough that only a credible actor would issue the signal. Positioning high levels of lethal force in proximity to a region of interest or within an allied country is one common way to issue a costly signal to deter or compel a threatening actor. Historically, long-standing troops or extended troop buildups have often been necessary to signal a deterrent or compellent threat’s credibility against an adversary. For example, during the latter part of the Cold War, the U.S. stationed roughly 250,000 troops in West Germany alone, which served to signal U.S. commitment to defending NATO countries in order to deter a Soviet invasion of western Europe.1

However, since the end of the Cold War, states have deployed fewer troops overseas, but to more countries. Figure 1 illustrates these relationships.2 The left panel plots the total annual number of troops deployed both overall and within defense alliances, and the right panel plots the proportion of dyads with deployments in the same fashion. As Figure 1 shows, there is a declining trend in troop levels and deployments to allies, coinciding with an increasing trend in deployments overall. What explains this phenomenon? A common explanation is that with the end of the Cold War and the rise of transnational terrorism, the threat of interstate war has declined whereas the threat of conflict from non-state actors has increased, changing the way states pursue their foreign policy interests. This may partially explain states’ force projection behavior, but it is not entirely satisfying. Despite the declining threat of interstate war, alliances still remain an important feature of the international system, as states still have a long-term concern about potential hostility arising from other states. A more compelling explanation for the trends in force projection behavior must be able to take into account not only the changes in the security environment, but also the continued importance of alliances as a way to deter interstate aggression. Furthermore, another important puzzle arises from these dynamics: given the changes in the way states pursue their foreign policy interests, can they continue to credibly signal their commitments if they deploy fewer troops to their allies, and if so, how?

In this paper, I argue that states have altered the way they signal their defensive alliance commitments and pursue foreign interests as a consequence of technological advances that have increased force projection capabilities. Specifically, one of the primary mechanisms driving troop deployment levels is the speed and amount of force with which a state can respond to an international crisis. Greater response speed and volume can serve as a substitute for large quantities of standing, foreign-based troops. Increased response capability is the direct result of technological improvements in military logistics, which affects military capabilities such as strategic airlift and aircraft carriers. This mechanism of mobility capacity therefore has a direct effect on the credibility of signals sent by states within defensive alliance agreements and alters states’ behavior in pursuit of foreign policy interests.

Alliances use a mixture of tying-hands and sunk cost signals, where tying-hands signals are sometimes, but not always, costly enough by themselves to credibly signal commitment (Fearon 1997). Tying-hands signals—e.g., committing publicly to defense treaties, making public statements and speeches—generate audience costs, i.e., the costs that would be incurred ex post by a public audience punishing an actor that backed out of a commitment. These costs can occur through a loss in international reputation or being voted out of office at the next election, for example. This is in contrast to sinking costs—e.g., with troop deployments and overseas bases—which are paid ex ante regardless of whether they are ever used, making them inherently more costly. Fearon notes, however, that an empirical puzzle exists based on this theory: sunk costs covey full commitment, but we still observe only partial commitment in some cases—i.e., alliances lacking significant sunk cost signaling. Therefore, either audience costs are sufficient to signal credibility in these cases, or else there is something else going on that allows partial commitment to be sustained in equilibrium.

If audience costs alone were sufficient to signal credibility, we would expect little 3 change over time in states’ capabilities to respond to international crises. If this were the case, states could simply respond to security crises with a slow build-up of their existing capabilities in order to forestall the ex post audience costs if they were to fail to respond, much as coalition forces took several months to build up forces after Iraqi forces invaded Kuwait in 1990 as a signal of their commitment to defend Saudi Arabia and compel Iraqi forces to withdraw from Kuwait. However, states do invest in their ability to respond quickly to crises. Therefore, I argue that it is the development of rapid mobility capabilities which underlies the partial commitment cases, and it is these capabilities that are missing from the existing explanation for alliance commitment signaling.

The deployment trends in Figure 1 can therefore be explained by changes in force projection capacity. As states’ mobility and force projection capacity increases, the need to deploy large quantities of troops in order to signal credible commitment goes down, leading to fewer deployed troops among existing alliance partnerships. Additionally, fewer deployments to allies create opportunities both to respond to emerging crises and to invest in additional non-binding security relationships—e.g., paying partners for geographic access, or providing training and short-term security rather than promising long-term protection. Moreover, the perceived threat environment in the post-Cold War order has led to a more diffuse constellation of actors than the bipolar divisions of the Cold War. Consequently, states have an incentive to diversify their partnerships to respond to these threats. Many of these partners also prefer more limited security ties rather than strong defense pacts (Ciorciari 2010). Therefore, as force projection capacity increases, the tendency to increase the number of “noncommittal” deployments—i.e., deployments in which tying-hands signals of commitment are less likely to occur—goes up, which allows states to send and withdraw troops to security partners as a situation demands, rather than committing to the partners’ long-term defense. This also help explain the puzzle of why, in recent years, there has been a growing number of limited bilateral defense agreements accompanied by nearly no new mutual defense alliance agreements (Kinne 2018).

### 2NR – AT: Biden

#### All the examples they cited were America first – Biden solves.

Neta Crawford, Professor; Department Chair Boston University, 11/7/2020 “Biden wins – experts on what it means for race relations, US foreign policy and the Supreme Court”, The Conversation, https://theconversation.com/biden-wins-experts-on-what-it-means-for-race-relations-us-foreign-policy-and-the-supreme-court-149327

Foreign policy and defense

Neta Crawford, Boston University

President-elect Biden has signaled he will do three things to reset the U.S.‘s foreign policy.

First, Biden will change the tone of U.S. foreign relations. The Democratic Party platform called its section on military foreign policy “renewing American leadership” and emphasized diplomacy as a “tool of first resort.”

Biden seems to sincerely believe in diplomacy and is intent on repairing relations with U.S. allies that have been damaged over the last four years. Conversely, while Trump was, some say, too friendly with Russian President Vladimir Putin, calling him a “terrific person,” Biden will likely take a harder line with Russia, at least rhetorically.

This change in tone will also likely include rejoining some of the treaties and international agreements that the United States abandoned under the Trump administration. The most important of these include the Paris Climate Agreement, which the U.S. officially withdrew from on Nov. 4, and restoring funding to the United Nation’s Intergovernmental Panel on Climate Change.

If the U.S. is to extend the New START nuclear weapons treaty, the arms control deal with Russia due to expire in February, the incoming Biden administration would likely have to work with the outgoing administration on an extension. Biden has also signaled a willingness to rejoin the Iran nuclear deal jettisoned by Trump, if and when the Iranians return to the limits on nuclear infrastructure imposed by the agreement.

Second, in contrast to the large increases in military spending under Trump, President-elect Biden may make modest cuts in the U.S. military budget. Although he has said that cuts are not “inevitable” under his presidency, Biden has hinted at a smaller military presence overseas and is likely to change some priorities at the Pentagon by, for instance, emphasizing high-tech weapons. If the Senate – which must ratify any treaties – flips to Democrats’ control, the Biden administration may take more ambitious steps in nuclear arms control by pursuing deeper cuts with Russia and ratifying the Comprehensive Test Ban Treaty.

Third, the Biden administration will likely continue some Bush, Obama and Trump foreign policy priorities. Specifically, while a Biden administration will seek to end the war in Afghanistan, the administration will keep a focus on defeating the Islamic State and al-Qaida. Biden has said that he would reduce the current 5,200 U.S. forces in Afghanistan to 1,500-2,000 troops operating in the region in a counterterrorism role. The Biden administration is likely to continue the massive nuclear weapons modernization and air and naval equipment modernization programs begun under the Obama administration and accelerated and expanded under Trump, if only because they are popular with members of Congress who see the jobs they provide in their states.

And like the Bush, Obama and Trump administrations, the Biden administration will prioritize the economic and military threats it believes are posed by China. But, consistent with its emphasis on diplomacy, the Biden administration will likely also work more to constrain China through diplomatic engagement and by working with U.S. allies in the region.