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#### The aff is not topical --- introducing armed forces only refers to human troops, not weapons systems such as nuclear weapons

Lorber 13 – Eric Lorber, J.D. Candidate, University of Pennsylvania Law School, Ph.D Candidate, Duke University Department of Political Science. January 2013, "Executive Warmaking Authority and Offensive Cyber Operations: Can Existing Legislation Successfully Constrain Presidential Power?" University of Pennsylvania Journal of Contsitutional Law, 15 U. Pa. J. Const. L. 961, lexis nexis

As is **evident from a** textual analysis, n177 an examination of the legislative history, n178 and **the broad** policy purposes behind the creation of the Act, n179 [\*990] "armed forces" refers to U.S. soldiers and members of the armed forces, not weapon systems or capabilities such as offensive cyber weapons. Section 1547 does not specifically define "armed forces," but it states that "the term "introduction of United States Armed Forces' includes the assignment of members of such armed forces to command, coordinate, participate in the movement of, or accompany the regular or irregular military forces of any foreign country or government." n180 While this definition pertains to the broader phrase "introduction of armed forces," the clear implication is that **only members of the armed forces count for the purposes of the definition under the WPR.** Though not dispositive, **the term "member" connotes a human individual who is part of an organization.** n181 Thus, it appears that the term "armed forces" means human members of the United States armed forces. However, there exist two potential complications with this reading. First, the language of the statute states that "the term "introduction of United States Armed Forces' includes the assignment of members of such armed forces." n182 By using inclusionary - as opposed to exclusionary - language, one might argue that the term "armed forces" could include more than members. This argument is unconvincing however, given that a core principle of statutory interpretation, expressio unius, suggests that **expression of one thing (i.e., members) implies the exclusion of others (**such as non-members **constituting armed forces)**. n183 Second, the term "member" does not explicitly reference "humans," and so could arguably refer to individual units and beings that are part of a larger whole (e.g., wolves can be members of a pack). As a result, though a textual analysis suggests that "armed forces" refers to human members of the armed forces, such a conclusion is not determinative.¶ **An examination of the legislative history also suggests that Congress clearly conceptualized "armed forces" as human members of the armed forces**. For example, disputes over the term "armed forces" revolved around who could be considered members of the armed forces, not what constituted a member. Senator Thomas Eagleton, one of the Resolution's architects, proposed an amendment during the process providing that the Resolution cover military officers on loan to a civilian agency (such as the Central [\*991] Intelligence Agency). n184 This amendment was dropped after encountering pushback, n185 but the debate revolved around whether those military individuals on loan to the civilian agency were still members of the armed forces for the purposes of the WPR, suggesting that Congress considered the term to apply only to soldiers in the armed forces. Further, during the congressional hearings, the question of deployment of "armed forces" centered primarily on past U.S. deployment of troops to combat zones, n186 suggesting that **Congress conceptualized "armed forces" to mean U.S. combat troops.**¶ **The broad purpose of the Resolution aimed to prevent the large-scale but unauthorized deployments of U.S. troops into hostilities**. n187 While examining the broad purpose of a legislative act is increasingly relied upon only after examining the text and legislative history, here it provides further support for those two alternate interpretive sources. n188 As one scholar has noted, "the War Powers Resolution, for example, is concerned with sending U.S. troops into harm's way." n189 The historical context of the War Powers Resolution is also important in determining its broad purpose; as the resolutions submitted during the Vietnam War and in the lead-up to the passage of the WPR suggest, Congress was concerned about its ability to effectively regulate the President's deployments of large numbers of U.S. troops to Southeast Asia, n190 as well as prevent the President from authorizing troop incursions into countries in that region. n191 The WPR was a reaction to the President's continued deployments of these troops into combat zones, and as such suggests that Congress's broad purpose was to prevent the unconstrained deployment of U.S. personnel, not weapons, into hostilities.¶ This analysis suggests that, when defining the term "armed forces," Congress meant members of the armed forces who would be placed in [\*992] harm's way (i.e., into hostilities or imminent hostilities). **Applied to offensive cyber operations, such a definition leads to the conclusion that the** W**ar** P**owers** R**esolution likely does not cover such activities**. Worms, viruses, and kill switches are clearly not U.S. troops. Therefore, the key question regarding whether the WPR can govern cyber operations is not whether the operation is conducted independently or as part of a kinetic military operation. Rather, the key question is the delivery mechanism. For example, if military forces were deployed to launch the cyberattack, such an activity, if it were related to imminent hostilities with a foreign country, could trigger the WPR. This seems unlikely, however, for two reasons. First, it is unclear whether small-scale deployments where the soldiers are not participating or under threat of harm constitute the introduction of armed forces into hostilities under the War Powers Resolution. n192 Thus, **individual operators deployed to plant viruses in particular enemy systems may not constitute armed forces introduced into hostilities or imminent hostilities.** Second, such a tactical approach seems unlikely. If the target system is remote access, the military can attack it without placing personnel in harm's way. n193 If it is close access, there exist many other effective ways to target such systems. n194 As a result, unless U.S. troops are introduced into hostilities or imminent hostilities while deploying offensive cyber capabilities - which is highly unlikely - such operations will not trigger the War Powers Resolution.

#### Vote negative for predictable limits --- nuclear weapons is a whole topic on its own --- requires research into a whole separate literature base --- undermines preparedness for all debates.

### 1NC Politics

#### Congress will ultimately compromise to avert shutdown – GOP divisions make it more likely, not less

Tom Cohen, 9-20-2013, “Congress: will it be a government shutdown or budget compromise?” CNN, http://www.cnn.com/2013/09/19/politics/congress-shutdown-scenarios/index.html?utm\_source=feedburner&utm\_medium=feed&utm\_campaign=Feed%3A+rss%2Fcnn\_allpolitics+(RSS%3A+Politics)

There hasn't been a government shutdown in more than 17 years, since the 28 days of budget stalemate in the Clinton administration that cost more than $1 billion. Now we hear dire warnings and sharpening rhetoric that another shutdown is possible and perhaps likely in less than two weeks when the current fiscal year ends. Despite an escalating political imbroglio, the combination of how Congress works and what politicians want makes the chances of a shutdown at the end of the month uncertain at best. In particular, a rift between Republicans over how to proceed has heightened concerns of a shutdown in the short run, but remains a major reason why one is unlikely in the end. A more probable scenario is a last-minute compromise on a short-term spending plan to fund the government when the current fiscal year ends on September 30. After that, the debate would shift to broader deficit reduction issues tied to the need to raise the federal debt ceiling sometime in October. "There's going to be a lot of draconian talk from both sides, but the likelihood of their being an extended shutdown is not high," said Darrell West, the vice president and director of governance studies at the Brookings Institution. Government shutdown: Again? Seriously? Conservatives tie Obamacare to budget talks While the main issue is keeping the government funded when the new fiscal year begins October 1, a conservative GOP wing in the House and Senate has made its crusade against Obamacare the focus of the debate. They demand a halt to funding for the signature program from President Barack Obama's first term, and they seem indifferent about forcing a government shutdown if that doesn't happen. "I will do everything necessary and anything possible to defund Obamacare," Republican Sen. Ted Cruz of Texas said Thursday, threatening a filibuster and "any procedural means necessary." The GOP split was demonstrated later Thursday by Sen. John McCain, who told CNN that "we will not repeal or defund Obamacare" in the Senate. "We will not, and to think we can is not rational," McCain said. A compromise sought by House Speaker John Boehner and fellow GOP leaders would have allowed a symbolic vote on the defunding provision that the Senate would then strip out. The result would have been what legislators call a "clean" final version that simply extended current levels of government spending for about two months of the new fiscal year, allowing time for further negotiations on the debt ceiling. However, conservative opposition to the compromise made Boehner agree to a tougher version that made overall government funding contingent on eliminating money for Obamacare. Moderate Republicans question the strategy, but fear a right-wing backlash in the 2014 primaries if they go against the conservative wing. In reference to the divisions in the House, McCain said it was "pretty obvious that (Boehner) has great difficulties within his own conference." The House passed the tea party inspired plan on an almost strictly party line vote on Friday, setting in motion what is certain to be 10 days or so of legislative wrangling and political machinations. The measure now goes to the Democratic-led Senate, where Majority Leader Harry Reid made clear on Thursday that any plan to defund Obamacare would be dead on arrival. Instead, the Senate was expected to strip the measure of all provisions defunding Obamacare and send it back to the House. "They're simply postponing an inevitable choice they must face," Reid said of House Republicans. Here is a look at the two most-discussed potential outcomes -- a government shutdown or a short-term deal that keeps the government funded for a few months while further debate ensues. House GOP: defund Obamacare or shut government down Shutdown scenario According to West, the ultimate pressure on whether there is a shutdown will rest with Boehner. With the Republican majority in the House passing the spending measure that defunds Obamacare, Senate Democrats say they will stand united in opposing it. "Don't make it part of your strategy that eventually we'll cave," Sen. Chuck Schumer of New York warned Republicans on Thursday. "We won't. We're unified, we're together. You're not." That means the Senate would remove any provisions to defund Obamacare and send the stripped-down spending proposal back to the House. Boehner would then have to decide whether to put it to a vote, even though that could undermine his already weakened leadership by having the measure pass with only a few dozen moderate Republicans joining Democrats in support. If he refuses to bring the Senate version to the floor for a vote, a shutdown would ensue. "The key player is really Boehner," West said. Polls showing a decrease in public support for the health care reforms embolden the Republican stance. Meanwhile, surveys showing most people oppose a government shutdown and that more would blame Republicans if it happens bolster Democratic resolve. Compromise scenario Voices across the political spectrum warn against a shutdown, including Congressional Budget Office Director Douglas Elmendorf, Federal Reserve Chairman Ben Bernanke, the U.S. Chamber of Commerce and Republican strategist Karl Rove. "Even the defund strategy's authors say they don't want a government shutdown. But their approach means we'll get one," Rove argued in an op-ed published Thursday by the Wall Street Journal. He noted the Democratic-controlled Senate won't support any House measure that eliminates funding for Obamacare, and the White House said Thursday that Obama would veto such a spending resolution. "Republicans would need 54 House Democrats and 21 Senate Democrats to vote to override the president's veto," Rove noted, adding that "no sentient being believes that will happen." West concurred, telling CNN that "you can't expect a president to offer his first born to solve a political problem for the other party." "It's the House split that's causing this to happen," he noted. "People now equate compromise with surrender. It's hard to do anything under those circumstances." Under the compromise scenario, the Senate would remove provisions defunding Obamacare from what the House passes while perhaps making other relatively minor changes to provide Boehner and House Republicans with political cover to back it.

#### The plan would trade off with Congress’s ability to avert the shutdown - GOP has momentum and will, but they need literally every hour to get it done

Frank James, 9-13-2013, “Congress Searches For A Shutdown-Free Future,” NPR, http://www.npr.org/blogs/itsallpolitics/2013/09/13/221809062/congress-searches-for-a-shutdown-free-future

The only thing found Thursday seemed to be more time for negotiations and vote-wrangling. Republican leaders recall how their party was blamed for the shutdowns of the mid-1990s and earnestly want to avoid a repeat, especially heading into a midterm election year. Cantor alerted members Thursday that during the last week of September, when they are supposed to be on recess, they will now most likely find themselves in Washington voting on a continuing resolution to fund the government into October. It looks like lawmakers will need every hour of that additional time. While talking to reporters Thursday, Boehner strongly suggested that House Republicans weren't exactly coalescing around any one legislative strategy. "There are a lot of discussions going on about how — about how to deal with the [continuing resolution] and the issue of 'Obamacare,' and so we're continuing to work with our members," Boehner said. "There are a million options that are being discussed by a lot of people. When we have something to report, we'll let you know."

#### Shutdown wrecks the economy

Yi Wu, 8-27-2013, “Government Shutdown 2013: Still a Terrible Idea,” PolicyMic, http://www.policymic.com/articles/60837/government-shutdown-2013-still-a-terrible-idea

Around a third of House Republicans, many Tea Party-backed, sent a letter last week calling on Speaker John Boehner to reject any spending bills that include implementation of the Affordable Care Act, otherwise known as Obamacare. Some Senate Republicans echo their House colleagues in pondering this extreme tactic, which is nothing other than a threat of government shutdown as neither congressional Democrats nor President Obama would ever agree on a budget that abolishes the new health care law. Unleashing this threat would amount to holding a large number of of the federal government's functions, including processing Social Security checks and running the Centers for Disease Control, hostage in order to score partisan points. It would be an irresponsible move inflicting enormous damage to the U.S. economy while providing no benefit whatsoever for the country, and Boehner is rightly disinclined to pursue it. Government shutdowns are deleterious to the economy. Two years ago in February 2011, a similar government shutdown was looming due to a budget impasse, and a research firm estimated that quater's GDP growth would be reduced by 0.2 percentage points if the shutdown lasted a week. After the budget is restored from the hypothetical shutdown, growth would only be "partially recouped," and a longer shutdown would result in deeper slowdowns. Further, the uncertainties resulting from a shutdown would also discourage business. A shutdown was avoided last-minute that year, unlike in 1995 during the Clinton administration where it actually took place for four weeks and resulted in a 0.5 percentage-point dent in GDP growth. Billions of dollars were cut from the budget, but neither Boehner nor the Republicans at the time were reckless enough to demand cancellation of the entire health care reform enacted a year before.

#### Global nuclear war

Harris & Burrows 9 Mathew, PhD European History @ Cambridge, counselor of the U.S. National Intelligence Council (NIC) and Jennifer, member of the NIC’s Long Range Analysis Unit “Revisiting the Future: Geopolitical Effects of the Financial Crisis” http://www.ciaonet.org/journals/twq/v32i2/f\_0016178\_13952.pdf

Of course, the report encompasses more than economics and indeed believes the future is likely to be the result of a number of intersecting and interlocking forces. With so many possible permutations of outcomes, each with ample Revisiting the Future opportunity for unintended consequences, there is a growing sense of insecurity. Even so, history may be more instructive than ever. While we continue to believe that the Great Depression is not likely to be repeated, the lessons to be drawn from that period include the **harmful effects on fledgling democracies** and multiethnic societies (think Central Europe in 1920s and 1930s) and on the sustainability of multilateral institutions (think League of Nations in the same period). There is no reason to think that this would not be true in the twenty-first as much as in the twentieth century. For that reason, the ways in which **the potential for** greater **conflict could grow** would seem to be even more apt in a constantly volatile economic environment as they would be if change would be steadier. In surveying those risks, the report stressed the likelihood that terrorism and nonproliferation will remain priorities even as resource issues move up on the international agenda. **Terrorism**’s appeal will decline if economic growth continues in the Middle East and youth unemployment is reduced. For those terrorist groups that remain active in 2025, however, the diffusion of technologies and scientific knowledge will place some of the world’s most dangerous capabilities within their reach. Terrorist groups in 2025 will likely be a combination of descendants of long established groups\_inheriting organizational structures, command and control processes, and training procedures necessary to conduct sophisticated attacks and newly emergent collections of the angry and disenfranchised that become self-radicalized, particularly in the absence of economic outlets that would become narrower in an economic downturn. The most dangerous casualty of any **economically-induced drawdown** of U.S. military presence would almost certainly be the Middle East. Although Iran’s acquisition of nuclear weapons is not inevitable, worries about a nuclear-armed Iran could lead states in the region to develop new security arrangements with external powers, **acquire additional weapons**, and consider pursuing their own **nuclear ambitions**. It is not clear that the type of stable deterrent relationship that existed between the great powers for most of the Cold War would emerge naturally in the Middle East with a nuclear Iran. Episodes of low intensity conflict and terrorism taking place under a nuclear umbrella could lead to an **unintended escalation** and **broader conflict** if clear red lines between those states involved are not well established. The close proximity of potential **nuclear rivals** combined with underdeveloped surveillance capabilities and mobile dual-capable Iranian missile systems also will produce inherent difficulties in achieving reliable indications and warning of an impending nuclear attack. The lack of strategic depth in neighboring states like Israel, short warning and missile flight times, and uncertainty of Iranian intentions may place more focus on **preemption** rather than defense, potentially leading to **escalating crises**. 36 Types of conflict that the world continues to experience, such as over resources, could reemerge, particularly if protectionism grows and there is a resort to neo-mercantilist practices. Perceptions of renewed energy scarcity will drive countries to take actions to assure their future access to energy supplies. In the worst case, this could result in **interstate conflicts** if government leaders deem assured access to energy resources, for example, to be essential for maintaining domestic stability and the survival of their regime. Even actions short of war, however, will have important geopolitical implications. Maritime security concerns are providing a rationale for naval buildups and modernization efforts, such as China’s and India’s development of blue water naval capabilities. If the fiscal stimulus focus for these countries indeed turns inward, one of the most obvious funding targets may be military. Buildup of regional naval capabilities could lead to increased tensions, rivalries, and counterbalancing moves, but it also will create opportunities for multinational cooperation in protecting critical sea lanes. With water also becoming scarcer in Asia and the Middle East, cooperation to manage changing water resources is likely to be increasingly difficult both within and between states in a more dog-eat-dog world.

### 1NC Exec CP

#### The president should issue a declaration that the United States federal government will not introduce nuclear weapons first into hostilities

#### Counterplan solves cred and the case

Adrian Vermeule 7, Harvard law prof - AND - Eric Posner - U Chicago law, The Credible Executive, 74 U. Chi. L. Rev. 865

\*We do not endorse gendered language

The Madisonian system of oversight has not totally failed. Some- times legislators overcome the temptation to free ride; sometimes they invest in protecting the separation of powers or legislative preroga- tives. Sometimes judges review exercises of executive discretion, even during emergencies. But often enough, legislators and judges have no real alternative to letting executive officials exercise discretion un- checked. The Madisonian system is a partial failure; compensating mechanisms must be adopted to fill the area of slack, the institutional gap between executive discretion and the oversight capacities of other institutions. Again, the magnitude of this gap is unclear, but plausibly it is quite large; we will assume that it is. It is often assumed that this partial failure of the Madisonian sys- tem unshackles and therefore benefits ill-motivated executives. This is grievously incomplete. The failure of the Madisonian system harms the well-motivated executive as much as it benefits the ill-motivated one. Where Madisonian oversight fails, the well-motivated executive is a victim of his own power. Voters, legislators, and judges will be wary of granting further discretion to an executive whose motivations are un- certain and possibly nefarious. The partial failure of Madisonian over- sight thus threatens a form of inefficiency, a kind of contracting failure that makes potentially everyone, including the voters, worse off. Our central question, then, is what the well-motivated executive can do to solve or at least ameliorate the problem. The solution is for the executive to complement his (well-motivated) first-order policy goals with second-order mechanisms for demonstrating credibility to other actors. We thus do not address the different question of what voters, legislators, judges, and other actors should do about an executive who is ill motivated and known to be so. That project involves shoring up or replacing the Madisonian system to block executive dictatorship. Our project is the converse of this, and involves finding new mechanisms to help the well-motivated executive credibly distinguish himself as such. ¶ IV. EXECUTIVE SIGNALING: LAW AND MECHANISMS ¶ We suggest that the executive’s credibility problem can be solved by second-order mechanisms of executive signaling. In the general case, well-motivated executives send credible signals by taking actions that are more costly for ill-motivated actors than for well- motivated ones, thus distinguishing themselves from their ill- motivated mimics. Among the specific mechanisms we discuss, an important subset involves executive self-binding, whereby executives commit themselves to a course of action that would impose higher costs on ill-motivated actors. Commitments themselves have value as signals of benign motivations. ¶ This departs from the usual approach in legal scholarship. Legal theory has often discussed self-binding by “government” or govern- ment officials. In constitutional theory, it is often suggested that consti- tutions represent an attempt by “the people” to bind “themselves” against their own future decisionmaking pathologies, or relatedly, that constitutional prohibitions represent mechanisms by which govern- ments commit themselves not to expropriate investments or to exploit their populations.72 Whether or not this picture is coherent,73 it is not the question we examine here, although some of the relevant consid- erations are similar.74 We are not concerned with binding the president so that he cannot abuse his powers, but with how he might bind himself or take other actions that enhance his credibility, so that he can generate support from the public and other members of the government. ¶ Furthermore, our question is subconstitutional: it is whether a well-motivated executive, acting within an established set of constitu- tional and statutory rules, can use signaling mechanisms to generate public trust. Accordingly, we proceed by assuming that no constitutional amendments or new statutes will be enacted. Within these con- straints, what can a well-motivated executive do to bootstrap himself to credibility? The problem for the well-motivated executive is to credibly signal his benign motivations. In general, the solution is to engage in actions that are less costly for good types than for bad types. ¶ We begin with some relevant law, then examine a set of possible mechanisms—emphasizing both the conditions under which they might succeed and the conditions under which they might not—and conclude by examining the costs of credibility. ¶ A. A Preliminary Note on Law and Self-Binding ¶ Many of our mechanisms are unproblematic from a legal per- spective, as they involve presidential actions that are clearly lawful. But a few raise legal questions; in particular, those that involve self- binding.75 Can a president bind himself to respect particular first-order policies? With qualifications, the answer is yes, at least to the same extent that a legislature can. Formally, a duly promulgated executive rule or order binds even the executive unless and until it is validly abrogated, thereby establishing a new legal status quo.76 The legal authority to establish a new status quo allows a president to create inertia or political constraints that will affect his own future choices. In a practical sense, presidents, like legislatures, have great de facto power to adopt policies that shape the legal landscape for the future. A president might commit himself to a long-term project of defense pro- curement or infrastructure or foreign policy, narrowing his own future choices and generating new political coalitions that will act to defend the new rules or policies. More schematically, we may speak of formal and informal means of self-binding:

#### The counterplan maintains the benefits of the unitary executive while deterring excessive presidential adventurism

Neal Katyal 6, prof, Georgetown law, Internal Separation of Powers: Checking Today's Most Dangerous Branch from Within, 115 Yale L.J. 2314

This Essay's proposed reforms reflect a more textured conception of the presidency than either the unitary executivists or their critics espouse. In contrast to the unitary executivists, I believe that the simple fact that the President should be in control of the executive branch does not answer the question of how institutions should be structured to encourage the most robust flow of advice to the President. Nor does that fact weigh against modest internal checks that, while subject to presidential override, could constrain presidential adventurism on a day-to-day basis. And in contrast to the doubters of the unitary executive, I believe a unitary executive serves important values, particularly in times of crisis. Speed and dispatch are often virtues to be celebrated.¶ Instead of doing away with the unitary executive, this Essay proposes designs that force internal checks but permit temporary departures when the need is great. Of course, the risk of incorporating a presidential override is that its great formal power will eclipse everything else, leading agency officials to fear that the President will overrule or fire them. But just as a filibuster does not tremendously constrain presidential action, modest internal checks, buoyed by reporting requirements, can create sufficient deterrent costs.¶ [\*2319] Let me offer a brief word about what this Essay does not attempt. It does not propose a far-reaching internal checking system on all presidential power, domestic and foreign. Instead, this Essay takes a case study, the war on terror, and uses the collapse of external checks and balances to demonstrate the need for internal ones. In this arena, public accountability is low - not only because decisions are made in secret, but also because they routinely impact only people who cannot vote (such as detainees). In addition to these process defects, decisions in this area often have subtle long-term consequences that short-term executivists may not fully appreciate. n9

#### Executive self-restraint is the only way to solve the case

Gillian Metzger 9, prof, Columbia Law, THE INTERDEPENDENT RELATIONSHIP BETWEEN INTERNAL AND EXTERNAL SEPARATION OF POWERS 59 Emory L.J. 423

The case in favor of internal mechanisms is in part comparative. Real limitations exist on the ability of traditional external constraints, specifically Congress and the courts, to check the power of the Executive Branch. The fundamental impediments for Congress are internal ones, in particular its need to proceed via the arduous process of bicameralism and presentment and the additional obstacles created by the operation of congressional committees and rules. n62 The ordinary burdens of the legislative process are intensified in contexts involving efforts to check presidential authority given the frequent need to overcome a presidential veto. n63 Congress does wield important investigatory and oversight powers and has other tools that may give it leverage over the President, such as control over spending or the ability to add contentious measures to must-pass legislation. n64 But the political reality of party allegiance dominating institutional interests, along with greater ideological cohesion among political parties in Congress, undermines these techniques and makes rigorous congressional constraints on presidential actions unlikely except in the context of divided government. n65 Moreover, [\*438] even if Congress is willing to actually engage in oversight, its ability to do so may be significantly hampered by the Executive Branch's non-cooperation or intransigence, often in the form of assertion of executive privilege or failure to inform Congress of contentious activities. n66¶ Courts, in turn, face jurisdictional barriers that limit their ability to review Executive Branch actions. n67 Such barriers have recently surfaced in litigation challenging the government's expansion of domestic wiretapping without complying with the Foreign Intelligence Surveillance Act; the Sixth Circuit held that the plaintiffs' claims of injury from the program were too speculative to provide a basis for standing to challenge the program. n68 Even when actions are justiciable, the courts' effectiveness as a check can be significantly curtailed by their deference to reasonable Executive Branch policy [\*439] determinations, particularly in the area of national security. n69 Courts are also reluctant to intervene to correct general failures in administration or prompt Executive Branch action. n70 Another major impediment is delay. Courts must wait for cases to come to them, and challenges to presidential action or policy are likely to be appealed, postponing final resolution of the underlying claims. n71 This is not to say that deference and delay necessarily undermine judicial checks; the Supreme Court's rejection of the Bush Administration's refusal to regulate greenhouse gas emissions in Massachusetts v. EPA n72 and recent decisions rebuffing broad presidential assertions of power regarding the Guantanamo Bay detainees n73 are important testaments to the contrary. Yet even in these contexts, the limits of judicial constraints are evident. For example, although the EPA proposed regulating greenhouse gases under the Clean Air Act in response to the Massachusetts decision, the White House refused to act on the proposal and no formal action toward regulating greenhouse gases was taken in the remaining year and a half of the Bush Administration. n74 The ongoing, multi-year saga of habeas challenges involving the Guantanamo Bay detention center demonstrates even more vividly that it can be years before judicial review forces a change in Executive Branch behavior. n75¶ Several bases exist for thinking that internal separation of powers mechanisms may have a comparative advantage. First, internal mechanisms [\*440] operate ex ante, at the time when the Executive Branch is formulating and implementing policy, rather than ex post. As a result, they avoid the delay in application that can hamper both judicial and congressional oversight. n76 Second, internal mechanisms often operate continuously, rather than being limited to issues that generate congressional attention or arise in the form of a justiciable challenge. n77 Third, internal mechanisms operate not just at the points at which policy proposals originate and are implemented but also at higher managerial levels, thus addressing policy and administration in both a granular and systemic fashion. In addition, policy recommendations generated through internal checks may face less resistance than those offered externally because the latter frequently arise after executive officials have already decided upon a policy course and are more likely to take an adversarial form. n78 Internal mechanisms may also gain credibility with Executive Branch officials to the extent they are perceived as contributing to more fully informed and expertise-based decisionmaking. n79

### 1NC Cred DA

#### Congressional restrictions cause adversaries to doubt the credibility of our threats --- causes crisis escalation

Matthew Waxman 8/25/13, Professor of Law @ Columbia and Adjunct Senior Fellow for Law and Foreign Policy @ CFR, “The Constitutional Power to Threaten War,” Forthcoming in Yale Law Journal, vol. 123, August 25, 2013, SSRN

A claim previously advanced from a presidentialist perspective is that stronger legislative checks on war powers is harmful to coercive and deterrent strategies, because it establishes easily-visible impediments to the President’s authority to follow through on threats. This was a common policy argument during the War Powers Resolution debates in the early 1970s. Eugene Rostow, an advocate inside and outside the government for executive primacy, remarked during consideration of legislative drafts that any serious restrictions on presidential use of force would mean in practice that “no President could make a credible threat to use force as an instrument of deterrent diplomacy, even to head off explosive confrontations.”178 He continued:¶ In the tense and cautious diplomacy of our present relations with the Soviet Union, as they have developed over the last twenty-five years, the authority of the President to set clear and silent limits in advance is perhaps the most important of all the powers in our constitutional armory to prevent confrontations that could carry nuclear implications. … [I]t is the diplomatic power the President needs most under the circumstance of modern life—the power to make a credible threat to use force in order to prevent a confrontation which might escalate.179

#### Credible US threats of force are the key pillar of US strategy --- solves a laundry list of impacts

Matthew Waxman 8/25/13, Professor of Law @ Columbia and Adjunct Senior Fellow for Law and Foreign Policy @ CFR, “The Constitutional Power to Threaten War,” Forthcoming in Yale Law Journal, vol. 123, August 25, 2013, SSRN

After the Cold War, the United States continued to rely on coercive force – threatened force to deter or compel behavior by other actors – as a central pillar of its grand strategy. During the 1990s, the United States wielded coercive power with varied results against rogue actors in many cases that, without the overlay of superpower enmities, were considered secondary or peripheral, not vital, interests: Iraq, Somalia, Haiti, Bosnia, and elsewhere. For analysts of U.S. national security policy, a major puzzle was reconciling the fact that the United States possessed overwhelming military superiority in raw terms over any rivals with its difficult time during this era in compelling changes in their behavior.104 As Daniel Byman and I wrote about that decade in our study of threats of force and American foreign policy: ¶ U.S. conventional and nuclear forces dwarf those of any adversaries, and the U.S. economy remains the largest and most robust in the world. Because of these overwhelming advantages, the United States can threaten any conceivable adversary with little danger of a major defeat or even significant retaliation. Yet coercion remains difficult. Despite the United States’ lopsided edge in raw strength, regional foes persist in defying the threats and ultimatums brought by the United States and its allies. In confrontations with Somali militants, Serb nationalists, and an Iraqi dictator, the U.S. and allied record or coercion has been mixed over recent years….¶ Despite its mixed record of success, however, coercion will remain a critical element of U.S. foreign policy.105¶ One important factor that seemed to undermine[d] the effectiveness of U.S. coercive threats during this period was that many adversaries perceived the United States as still afflicted with “Vietnam Syndrome,” unwilling to make good on its military threats and see military operations through.106¶ Since the turn of the 21st Century, major U.S. security challenges have included non-state terrorist threats, the proliferation of nuclear and other weapons of mass destruction (WMD), and rapidly changing power balances in East Asia, and the United States has accordingly been reorienting but retaining its strategic reliance on threatened force. The Bush Administration’s “preemption doctrine” was premised on the idea that some dangerous actors – including terrorist organizations and some states seeking WMD arsenals – are undeterrable, so the United States might have to strike them first rather than waiting to be struck.107 On one hand, this was a move away from reliance on threatened force: “[t]he inability to deter a potential attacker, the immediacy of today’s threats, and the magnitude of potential harm that could be caused by our adversaries’ choice of weapons, do not permit” a reactive posture.108 Yet the very enunciation of such a policy – that “[t]o forestall or prevent such hostile acts by our adversaries, the United States will, if necessary, act preemptively”109 – was intended to persuade those adversaries to alter their policies that the United States regarded as destabilizing and threatening.¶ Although the Obama administration pulled back from this rhetoric and placed greater emphasis on international institutions, it has continued to rely on threatened force as a key pillar of its strategy with regard to deterring threats (such as aggressive Iranian moves), intervening in humanitarian crises (as in Libya), and reassuring allies.110 With regard to East Asia, for example, the credible threat of U.S. military force is a significant element of U.S. strategy for deterring Chinese and North Korean aggression as well as reassuring other Asian powers of U.S. protection, to avert a destabilizing arms race.111

### 1NC Threats Fail Adv

( ) The U.S. has nuclear primacy now---credible threat of first-strikes is key

Lieber & Press 6 – Keir A. Lieber, Assistant Professor of Political Science at the University of Notre Dame, and Daryl G. Press, Associate Professor of Political Science at the University of Pennsylvania, Spring 2006, “The End of MAD?: The Nuclear Dimension of U.S. Primacy,” International Security, Vol. 30, No. 4, p. 7-44

For nearly half a century, the world’s most powerful nuclear-armed countries have been locked in a military stalemate known as mutual assured destruction (MAD). By the early 1960s, the United States and the Soviet Union possessed such large, well-dispersed nuclear arsenals that neither state could entirely destroy the other’s nuclear forces in a first strike. Whether the scenario was a preemptive strike during a crisis, or a bolt-from-the-blue surprise attack, the victim would always be able to retaliate and destroy the aggressor. Nuclear war was therefore tantamount to mutual suicide. Many scholars believe that the nuclear stalemate helped prevent conflict between the superpowers during the Cold War, and that it remains a powerful force for great power peace today.1

The age of MAD, however, is waning. Today the United States stands on the verge of attaining nuclear primacy vis-à-vis its plausible great power adversaries. For the first time in decades, it could conceivably disarm the long-range nuclear arsenals of Russia or China with a nuclear first strike. A preemptive strike on an alerted Russian arsenal would still likely fail, but a surprise attack at peacetime alert levels would have a reasonable chance of success. Furthermore, the Chinese nuclear force is so vulnerable that it could be destroyed even if it were alerted during a crisis. To the extent that great power peace stems from the pacifying effects of nuclear weapons, it currently rests on a shaky foundation.

This article makes three empirical claims. First, the strategic nuclear balance has shifted dramatically since the end of the Cold War, and the United States now stands on the cusp of nuclear primacy.2 Second, the shift in the balance of power has two primary sources: the decline of the Russian nuclear arsenal and the steady growth in U.S. nuclear capabilities. Third, the trajectory of nuclear developments suggests that the nuclear balance will shift further in favor of the United States in the coming years. Russia and China will face tremendous incentives to reestablish mutual assured destruction, but doing so will require substantial sums of money and years of sustained effort. If these states want to reestablish a robust strategic deterrent, they will have to overcome current U.S. capabilities, planned improvements to the U.S. arsenal, and future developments being considered by the United States. U.S. nuclear primacy may last a decade or more.

To illustrate the shift in the strategic nuclear balance, we model a U.S. nuclear first strike against Russia. Russia was not chosen because it is the United States’ most likely great power adversary; to the contrary, most analysts expect China to fill that role. But Russia presents the hardest case for our contention that the United States is on the brink of nuclear primacy. It has about 3,500 nuclear warheads capable of reaching the continental United States; by comparison, China has only 18 single-warhead missiles that can reach the U.S. homeland.3 If the United States can destroy all of Russia’s long-range nuclear systems in a first strike—as we argue it could possibly do today—it suggests that the Chinese strategic nuclear arsenal is far more vulnerable.

Our model does not prove that a U.S. disarming attack against Russia would succeed. Nor does the model assume that the United States is likely to launch a nuclear first strike. Even if U.S. leaders were highly confident of success, a counterforce strike would entail enormous risks and costs. Rather, the model demonstrates that Russian (and Chinese) leaders can no longer count on having a survivable nuclear deterrent.

( ) Obama hasn’t implemented policy changes that would reduce U.S. primacy---nuclear-armed adversaries still perceive credible primacy

RT 9 – Russia Today, April 15, 2009, “Nuclear deterrent needs reform – US think tank,” online: http://russiatoday.com/Politics/2009-04-15/Nuclear\_deterrent\_needs\_reform\_\_\_US\_think\_tank.html

The 64-page report, entitled "From Counterforce to Minimal Deterrence – A New Nuclear Policy on the Path Toward Eliminating Nuclear Weapons," says the US must review its policy towards the use of nuclear weapons in order to achieve its stated goal of a “nuclear-free world,” as voiced by US President Barack Obama during a speech Sunday in Prague.

 “The world must stand together to prevent the spread of these weapons,” Obama told the audience. “Now is the time for a strong international response.”

The report argues that with the end of ideological competition between the US and the Soviet Union, the very role of the nuclear weapons architecture has changed. But the current nuclear doctrine, “an artifact of the Cold War,” according to the American experts, fails to come to terms with the new realities.

From serving as a counterforce during the Cold War, nuclear weapons must be transformed into a limited instrument of “minimal deterrence,” and “not be assigned any mission for which they are less than indispensable,” the experts warn.

Nuclear forces are still on high alert prepared for a strike in a matter of minutes following an order. Today, American military maintain some 2,700 warheads operationally deployed with 900 on high alert, and 2,500 more are kept in reserve. The number is unnecessarily big, since there is no threat of a total war anymore.

The concept of “minimal deterrence” includes a radical reduction in the number of nuclear weapons, leaving but 500 by 2025. In the plan, submarine-based missiles and tactical nukes would be totally scrapped, leaving only intercontinental ballistic missiles and strategic bombers on duty. These weapons are to be used only in the case that nuclear weapons are used by an enemy.

The report also advises a reset on targeting policy. Given the new realities, the prime targets for nuclear weapons should be a handful of key infrastructure facilities, like oil refineries, power plants or transportation hubs, the experts advise. Optimally, these should be located in desolate areas in order to avoid unnecessary deaths.

This revised strategy is in opposition to the current approach where cities, command centers and missile silos are considered the priority targets for a massive nuclear strike.

The report details how a nuclear attack on 12 facilities in Russia would result in casualties ranging from 67,000 to almost 2 million people, depending on the yield of the warheads used. The result, according to the report, would cripple Russia’s economy in the event of a conflict. The paper calls the numbers “sobering,” and argues that the US nuclear arsenal is “vastly more powerful then needed.”

While it is difficult to paint a nuclear-war scenario in a positive light, the report shows a marked change of nuclear thinking from the former US administration of George W. Bush, which tended to place an emphasis on the nuclear advantage.

In the March/April 2006 issue of Foreign Affairs, the US political journal, Keir A. Lieber and Daryl G. Press argue in a highly provocative article (entitled “The Rise of Nuclear Primacy”) that “for the first time in 50 years, the United States stands on the verge of attaining nuclear primacy. It will probably soon be possible for the United States to destroy the long-range nuclear arsenals of Russia or China with a first strike.”

The writers argued that “Unless Washington’s policies change or Moscow and Beijing take steps to increase the size and readiness of their forces, Russia and China – and the rest of the world – will live in the shadow of U.S. nuclear primacy for many years to come.”

NFU makes nuclear primacy inoperative – first-strike threats define primacy

Lieber and Press 6 - Keir A. Lieber, Assistant Professor of Political Science at the University of Notre Dame, and Daryl G. Press, Associate Professor of Political Science at the University of Pennsylvania, March-April 2006, “The Rise of U.S. Nuclear Primacy,” Foreign Affairs

During the Cold War, Washington relied on its nuclear arsenal not only to deter nuclear strikes by its enemies but also to deter the Warsaw Pact from exploiting its conventional military superiority to attack Western Europe. It was primarily this latter mission that made Washington rule out promises of "no first use" of nuclear weapons. Now that such a mission is obsolete and the United States is beginning to regain nuclear primacy, however, Washington's continued refusal to eschew a first strike and the country's development of a limited missile-defense capability take on a new, and possibly more menacing, look. The most logical conclusions to make are that a nuclear-war-fighting capability remains a key component of the United States' military doctrine and that nuclear primacy remains a goal of the United States.

( ) Nuclear primacy’s key to hegemony---makes unipolarity durable and deters great power competition

Craig 9 – Campbell Craig, Professor of International Relations at the University of Southampton, 2009, “American power preponderance and the nuclear revolution,” Review of International Studies, Vol. 35, p. 35-36

As Keir Lieber and Daryl Press have suggested, the US may be on the verge of acquiring a first-strike nuclear capability, which, combined with an effective system of anti-ballistic missile defence, could allow the US to destroy a rival’s nuclear capabilities and intercept any remaining retaliatory missiles before they hit American cities. While this possibility clearly reduces the likelihood of other states seeking to match American power with the aim of fighting and winning a nuclear war, and, if their argument becomes widely accepted, could lead American policy-makers to reject the logic of the nuclear revolution and consider pre-emptive nuclear strikes against large nuclear rivals, it clearly is less germane to the question of small-state deterrence.33 Lieber and Press contend that the US may have the capability to destroy the entire nuclear arsenal of another large nuclear state lest that state use it on America first for the purposes of winning a great war. That, as they say, would mean the end of Mutual Assured Destruction as it existed during the Cold War. However, Washington would have much less reason to use its new first-strike capability against a nation that cannot threaten to destroy the US, and has no ambition to defeat America in a war, but only possesses a second-strike minimum deterrent. Such an attack would turn much of the world against a US willing to use nuclear weapons and kill hundreds of thousands or millions in order to defeat a nation that did not threaten its survival. Perhaps more to the point, an attack like this would be tremendously risky. Even after a perfect first strike some retaliation might get through, which could mean the nuclear destruction of an American city or perhaps the city of an American ally. At the very least, survivors of the attacked state and their allies would seek to unleash destruction upon the US in other ways, including an unconventional delivery of a nuclear, chemical, or biological weapon. An imperfect first strike, or, even worse, a failure of the US anti-missile system, would constitute a total disaster for the US: not only would it incur the world’s wrath and suffer the destruction of one or more of its cities, but such a failure would also expose America as both a brutal and vulnerable state, surely encouraging other states to acquire nuclear weapons or otherwise defy it. The US might have reason to launch a first strike against a large rival that deployed a major arsenal and appeared ready to attack America, as implausible as this scenario is. It would have little reason to do so against a small nation with a second-strike minimum deterrent arsenal.

The nuclear revolution delivers a clear message to any large state considering major war with a powerful nuclear rival. The message is that such a war is likely to escalate to total nuclear exchange, and that in this event a large percentage of its citizenry will be killed or injured, its ability to govern what remains of the nation will be weakened or destroyed, and its power relative to other states that stayed out of the war will be radically diminished. It also delivers a message to any advanced small state eager to obtain security from the possible predation of large ones. The message is that if the small state possesses, or can quickly get its hands on, a few invulnerable and deliverable nuclear weapons, any large state contemplating invading it will have to weigh the benefits of invasion against a new kind of cost – not just a difficult or stalemated conventional war, such as the US faced in Vietnam and faces in Iraq, but the destruction of perhaps one, three, or five of its cities, and the death and injury of millions of its citizens. Unless it is able to obtain an absolutely fool-proof defence against any kind of nuclear retaliation, the choice that any large state is going to make when faced with this new circumstance is so likely to be peace that the small nuclear state can feel confident that it will be safe from conquest.34

The general relevance of these messages to American unipolar preponderance is clear. At the ‘great power’ level, rising states are unlikely to regard major war as a suitable means for overturning the international system and overthrowing American preponderance. The classic means of systemic change – hegemonic war – will not be an attractive option to any state hoping to survive, and the very existence of nuclear arsenals will make all states cautious about provoking conflict with nuclear rivals, especially the heavily armed US.35 Moreover, advanced smaller states know that they can provide for their own security, if they come to believe that it is endangered, not by embarking on large military build-ups or forming alliances with larger states, but by developing a small and invulnerable nuclear arsenal, or at least preparing the way to obtain such an arsenal quickly. This means that small states have a far greater ability to defend themselves from, and therefore be less afraid of, American predation today than comparable states facing dominant powers in previous eras.36

The main effects of the nuclear revolution, then, bolster the general claim of Power Preponderance that unipolarity is enduring. To support their claim, Brooks and Wohlforth specify three factors that dissuade would-be rivals to the US from balancing against it in traditional military terms: the effect of America’s relative geographical isolation from these potential rivals; the fact that American preponderance happened as a fait accompli about which no other nation could do anything; and the vast and growing ‘power gap’ between the US and all other rivals. The next section will describe each factor, and show how the nuclear revolution specifically reinforces each of them.

( ) Loss of U.S. hegemony causes nuclear wars around the globe

Kagan 7 – Robert Kagan, senior associate at the Carnegie Endowment for International Peace and senior transatlantic fellow at the German Marshall Fund, August/September 2007, “End of Dreams, Return of History,” The Hoover Policy Review, online: http://www.hoover.org/publications/policyreview/8552512.html

The jostling for status and influence among these ambitious nations and would-be nations is a second defining feature of the new post-Cold War international system. Nationalism in all its forms is back, if it ever went away, and so is international competition for power, influence, honor, and status. American predominance prevents these rivalries from intensifying — its regional as well as its global predominance. Were the United States to diminish its influence in the regions where it is currently the strongest power, the other nations would settle disputes as great and lesser powers have done in the past: sometimes through diplomacy and accommodation but often through confrontation and wars of varying scope, intensity, and destructiveness. One novel aspect of such a multipolar world is that most of these powers would possess nuclear weapons. That could make wars between them less likely, or it could simply make them more catastrophic.

It is easy but also dangerous to underestimate the role the United States plays in providing a measure of stability in the world even as it also disrupts stability. For instance, the United States is the dominant naval power everywhere, such that other nations cannot compete with it even in their home waters. They either happily or grudgingly allow the United States Navy to be the guarantor of international waterways and trade routes, of international access to markets and raw materials such as oil. Even when the United States engages in a war, it is able to play its role as guardian of the waterways. In a more genuinely multipolar world, however, it would not. Nations would compete for naval dominance at least in their own regions and possibly beyond. Conflict between nations would involve struggles on the oceans as well as on land. Armed embargos, of the kind used in World War i and other major conflicts, would disrupt trade flows in a way that is now impossible.

Such order as exists in the world rests not merely on the goodwill of peoples but on a foundation provided by American power. Even the European Union, that great geopolitical miracle, owes its founding to American power, for without it the European nations after World War II would never have felt secure enough to reintegrate Germany. Most Europeans recoil at the thought, but even today Europe’s stability depends on the guarantee, however distant and one hopes unnecessary, that the United States could step in to check any dangerous development on the continent. In a genuinely multipolar world, that would not be possible without renewing the danger of world war.

People who believe greater equality among nations would be preferable to the present American predominance often succumb to a basic logical fallacy. They believe the order the world enjoys today exists independently of American power. They imagine that in a world where American power was diminished, the aspects of international order that they like would remain in place. But that ’s not the way it works. International order does not rest on ideas and institutions. It is shaped by configurations of power. The international order we know today reflects the distribution of power in the world since World War ii, and especially since the end of the Cold War. A different configuration of power, a multipolar world in which the poles were Russia, China, the United States, India, and Europe, would produce its own kind of order, with different rules and norms reflecting the interests of the powerful states that would have a hand in shaping it. Would that international order be an improvement? Perhaps for Beijing and Moscow it would. But it is doubtful that it would suit the tastes of enlightenment liberals in the United States and Europe.

The current order, of course, is not only far from perfect but also offers no guarantee against major conflict among the world ’s great powers. Even under the umbrella of unipolarity, regional conflicts involving the large powers may erupt. War could erupt between China and Taiwan and draw in both the United States and Japan. War could erupt between Russia and Georgia, forcing the United States and its European allies to decide whether to intervene or suffer the consequences of a Russian victory. Conflict between India and Pakistan remains possible, as does conflict between Iran and Israel or other Middle Eastern states. These, too, could draw in other great powers, including the United States.

Such conflicts may be unavoidable no matter what policies the United States pursues. But they are more likely to erupt if the United States weakens or withdraws from its positions of regional dominance. This is especially true in East Asia, where most nations agree that a reliable American power has a stabilizing and pacific effect on the region. That is certainly the view of most of China ’s neighbors. But even China, which seeks gradually to supplant the United States as the dominant power in the region, faces the dilemma that an American withdrawal could unleash an ambitious, independent, nationalist Japan.

In Europe, too, the departure of the United States from the scene — even if it remained the world’s most powerful nation — could be destabilizing. It could tempt Russia to an even more overbearing and potentially forceful approach to unruly nations on its periphery. Although some realist theorists seem to imagine that the disappearance of the Soviet Union put an end to the possibility of confrontation between Russia and the West, and therefore to the need for a permanent American role in Europe, history suggests that conflicts in Europe involving Russia are possible even without Soviet communism. If the United States withdrew from Europe — if it adopted what some call a strategy of “offshore balancing” — this could in time increase the likelihood of conflict involving Russia and its near neighbors, which could in turn draw the United States back in under unfavorable circumstances.

It is also optimistic to imagine that a retrenchment of the American position in the Middle East and the assumption of a more passive, “offshore” role would lead to greater stability there. The vital interest the United States has in access to oil and the role it plays in keeping access open to other nations in Europe and Asia make it unlikely that American leaders could or would stand back and hope for the best while the powers in the region battle it out. Nor would a more “even-handed” policy toward Israel, which some see as the magic key to unlocking peace, stability, and comity in the Middle East, obviate the need to come to Israel ’s aid if its security became threatened. That commitment, paired with the American commitment to protect strategic oil supplies for most of the world, practically ensures a heavy American military presence in the region, both on the seas and on the ground.

The subtraction of American power from any region would not end conflict but would simply change the equation. In the Middle East, competition for influence among powers both inside and outside the region has raged for at least two centuries. The rise of Islamic fundamentalism doesn ’t change this. It only adds a new and more threatening dimension to the competition, which neither a sudden end to the conflict between Israel and the Palestinians nor an immediate American withdrawal from Iraq would change. The alternative to American predominance in the region is not balance and peace. It is further competition. The region and the states within it remain relatively weak. A diminution of American influence would not be followed by a diminution of other external influences. One could expect deeper involvement by both China and Russia, if only to secure their interests. 18 And one could also expect the more powerful states of the region, particularly Iran, to expand and fill the vacuum. It is doubtful that any American administration would voluntarily take actions that could shift the balance of power in the Middle East further toward Russia, China, or Iran. The world hasn ’t changed that much. An American withdrawal from Iraq will not return things to “normal” or to a new kind of stability in the region. It will produce a new instability, one likely to draw the United States back in again.

The alternative to American regional predominance in the Middle East and elsewhere is not a new regional stability. In an era of burgeoning nationalism, the future is likely to be one of intensified competition among nations and nationalist movements. Difficult as it may be to extend American predominance into the future, no one should imagine that a reduction of American power or a retraction of American influence and global involvement will provide an easier path.

First-strike capabilities aren’t destabilizing and U.S.-Russia crises wouldn’t escalate

Blair and Chen 6 – Bruce G. Blair, President of the World Security Institute, and Chen Yali, Program Manager of Chen Shi China Research Group, Autumn 2006, “The Fallacy of Nuclear Primacy,” China Security, online: <http://www.wsichina.org/cs4_4.pdf>

Similarly, a crisis in theory could trigger a U.S. preventive attack if it truly believed that Russia had lost its ability to launch on warning, and that no Russian strategic forces would survive a U.S. first strike. U.S. leaders’ preemptive impulse would theoretically grow stronger if Russia appeared on the verge of dispersing its mobile forces to ensure their survival, a process that would ruin America’s chance to disarm Russia. (A massive barrage attack by U.S. nuclear warheads against the operating area of dispersed mobile forces would not be practical or effective.) In addition to this dangerous dynamic, safeguards against accidental and unauthorized launches would weaken as the two sides prepared for nuclear war. Even greater instability and risks would theoretically exist in U.S.-China crisis interactions.

Although the professors are properly concerned with the turbulence associated with nuclear crises under the postulated conditions of acute Russian and Chinese vulnerability, they characterize all of the steps taken during a crisis as destabilizing. This characterization is wrong. For instance, if Russia dispersed its mobile forces to protect them, and managed to do so without triggering U.S. preemption, the crisis would be somewhat stabilized because Russia would have generated a survivable minimal nuclear deterrent. Admittedly, this transition would be dangerous, but it could lead to a more stable balance than the initial one. The professors mistakenly, or better myopically, view all crisis interactions as destabilizing, even those that restore mutual vulnerability.

[“The professors” in this article refers to Lieber & Press]

### 1NC China Adv

#### The CCP knows war would collapse the regime---that’s comparatively their biggest fear

Twining 13—Senior Fellow for Asia at the German Marshall Fund of the United States. PhD in IR from Oxford (5/3/13, Dan, The dangerous domestic politics of U.S.-China relations, shadow.foreignpolicy.com/posts/2013/05/03/the\_dangerous\_domestic\_politics\_of\_us\_china\_relations)

There are, however, powerful countervailing factorsthat mitigate the likelihood of all-out conflict. These include the deep interdependence of the American and Chinese economies. Given its export dependency, shallow financial markets, and questionable domestic resiliency, any conflict would likely bankrupt China first.

Indeed, we have seen in China's own history how external conflicts have often led to internal rebellion and even revolution-- a prospect its rulers fear more than any other. Any actual decision by China's leaders to engage in direct military conflict with the United States would be very likely to lead to the downfall of the Communist regime that has governed the country since 1949. This link between the regime's external and internal insecurities is an Achilles' heel that gives the United States and other democracies facing military pressure from China -- Japan over the Senkakus, India over parts of Ladakh and Arunachal Pradesh -- a potentially decisive strategic advantage.

#### Economic interdependence prevents war

Ian Bremmer and David Gordon 12, president of Eurasia Group and author of ''Every Nation for Itself: Winners and Losers in a G-Zero World.'' AND head of research at Eurasia Group and former director of policy planning at the State Department, " Where Commerce and Politics Collide," October 15, China US Focus, www.chinausfocus.com/uncategorized/where-commerce-and-politics-collide/

Whatever happened to the reassuring view that expanding trade ties make for a safer and more prosperous world? This idea has been long present in U.S. strategies toward China, even before being concretized in Robert Zoellick’s notion of integrating China into the world financial and commercial systems as a way of promoting ''responsible stakeholdership.''¶ The Chinese had a parallel concept – that promoting economic interdependence with America would counter Washington’s natural tendency to block China’s rise as an alternative power.¶ But as President Obama and Governor Mitt Romney argue over who can be tougher on China and its trade practices, and as a wave of anti-American nationalism surges across China, the commercial partnership meant to bring Washington and Beijing closer together appears to be pushing the world’s two largest economies further apart. Are we headed for some new form of Cold War-style confrontation?¶ We don’t think so. Behind all the finger-pointing and fist-shaking on both sides is a powerful economic interdependence that constrains both countries and was totally missing from U.S.-Soviet relations during the Cold War. What’s bad for one economy is still bad for the other, and both Washington and Beijing know it.¶ With trillions invested in U.S. Treasuries, and the continuing sluggishness of American consumer spending, China has a huge stake in a more robust U.S. recovery. And the prospect of a rapidly growing consumer sector in China creates enormous opportunities for American agriculture and industry.¶ But macro-economic interdependence brings with it a whole range of tactical tensions – over exchange rates, intellectual property, investment rules and standard-setting. Yet there is also a more strategic downside to mutually assured economic destruction, because neither side has perfect control over events that might undermine the relationship, and because reduced risk of all-out conflict lets them feel freer to play with fire.¶ There are a growing number of security risks around the world. In Asia, an expanding U.S. security and commercial presence has China’s next generation of leaders on edge, and Beijing finds itself in various forms of direct conflict with many of its neighbors, some of whom are America’s strategic allies. In the Middle East, a variety of new actors with competing agendas are jostling to fill emerging power vacuums. In Europe, Germany has taken a leadership role in what is sure to emerge as a quite different continent. In Russia’s sphere of influence, a government that faces rising risks at home may well respond more aggressively abroad.¶ In the past, these sorts of tectonic geopolitical shifts and the uncertainty they create might well have provoked war. But today, the economic dimension is at least as important as military muscle in shaping the balance of power. That makes for more complicated international relationships.¶ Look more closely at the contradictions. A military rivalry is a zero-sum relationship; what’s good for one side is bad for the other. But economic security is good for both. America and China both need oil to flow smoothly from the Middle East and for peace to prevail in the South China Sea. Deepening trade relations give each side a stake in the other’s success.

Nuclear primacy over China’s key to U.S. hegemony in Asia---prevents China from rising as a counter-balancer

White 7 – Hugh White, Professor of Strategic Studies at the Australian National University and Visiting Fellow at the Lowy Institute for International Policy, August 2007, “Stopping a Nuclear Arms Race between America and China,” online: http://www.lowyinstitute.org/Publication.asp?pid=654

Nuclear policy does not seem to get much highlevel attention in Washington these days, and it may be the US is moving towards an attempt to gain nuclear primacy with China without senior leaders ever having taken a clear decision to do so, and without fully weighing the costs, risks and consequences of attempting to upset the deterrent balance that has been established and maintained between the US and China over the past few decades. It would place America in the position of upsetting the nuclear status quo, but it would be consistent with a policy of maintaining American power in Asia, and with the broader thrust of US strategic policy under the Bush Administration, which has emphasised a long-term aim to consolidate and if possible increase the US lead in all forms of military power. If China does become a strategic adversary of the US over coming decades, a policy of nuclear primacy would seem like a good investment. But that depends on whether the US can in fact achieve nuclear primacy over China, and whether it can do so without itself provoking precisely the kind of downturn in US-China relations which would make it necessary. And that depends on what China does in response.

Self-denial of nuclear superiority causes Chinese resurgence---they’ll aggressively pursue great-power status

Caves, Senior Fellow at the National Defense University 10 – John P. Caves Jr., Senior Research Fellow in the Center for the Study of Weapons of Mass Destruction at the National Defense University, January 2010, “Avoiding a Crisis of Confidence in the U.S. Nuclear Deterrent,” Strategic Forum, No. 252

Today, the United States fields the most capable strategic nuclear forces in the world and possesses globally recognized superiority in any conventional military battlespace. No state, even a nuclear-armed near peer, rationally would directly challenge vital U.S. interests today for fear of inviting decisive defeat of its conventional forces and risking nuclear escalation from which it could not hope to claim anything resembling victory. But power relationships are never static, and current realities and trends make the scenario described above conceivable unless corrective steps are taken by the current administration and Congress.

Consider the challenge posed by China. It is transforming its conventional military forces to be able to project power and compete militarily with the United States in East Asia,1 and is the only recognized nuclear weapons state today that is both modernizing and expanding its nuclear forces.2 It weathered the 2008 financial crisis relatively well, avoiding a recession and already resuming robust economic growth.3 Most economists expect that factors such as openness to foreign investment, high savings rates, infrastructure investments, rising productivity, and the ability to leverage access to a large and growing market in commercial diplomacy are likely to sustain robust economic growth for many years to come, affording China increasing resources to devote to a continued, broad-based modernization and expansion of its military capabilities. In contrast, the 2008 financial crisis was the most severe for the United States since the Great Depression,4 and it led in 2009 to the largest Federal budget deficit—by far—since the Second World War5 (much of which is financed by borrowing from China). Continuing U.S. military operations in Iraq and Afghanistan are expensive, as will be the necessary refurbishment of U.S. forces when those conflicts end. Those military expenses, however, are expected to be eclipsed by the burgeoning entitlement costs of the aging U.S. “baby boomer” generation.6 As The Economist recently observed:

China’s military build-up in the past decade has been as spectacular as its economic growth. . . . There are growing worries in Washington, DC, that China’s military power could challenge America’s wider military dominance in the region. China insists there is nothing to worry about. But even if its leadership has no plans to displace American power in Asia . . . America is right to fret this could change.7

As an emerging nuclear-armed near peer like China narrows the wide military power gap that currently separates it from the United States, Washington could find itself more, rather than less, reliant upon its nuclear forces to deter and contain potential challenges from great power competitors. The resulting security dynamics may resemble the Cold War more than the U.S. “unipolar moment” of the 1990s and early 2000s.

**Loss of U.S. heg in Asia means a Chinese-driven axis of counterbalancing---triggers worldwide nuclear war**

Walton 7 – C. Dale Walton, Lecturer in International Relations and Strategic Studies at the University of Reading, 2007, Geopolitics and the Great Powers in the 21st Century, p. 49

Obviously, it is of vital importance to the United States that the PRC does not become the hegemon of Eastern Eurasia. As noted above, however, regardless of what Washington does, China's success in such an endeavor is not as easily attainable as pessimists might assume. The PRC appears to be on track to be a very great power indeed, but geopolitical conditions are not favorable for any Chinese effort to establish sole hegemony; a robust multipolar system should suffice to keep China in check, even with only minimal American intervention in local squabbles. The more worrisome danger is that Beijing will cooperate with a great power partner, establishing a very muscular axis. Such an entity would present a critical danger to the balance of power, thus both necessitating very **active American intervention** in Eastern Eurasia and **creating the** underlying **conditions for a massive**, and probably **nuclear, great power war**. Absent such a "super-threat," however, the demands on American leaders will be far more subtle: creating the conditions for Washington's gentle decline from playing the role of unipolar quasi-hegemon to being "merely" the greatest of the world's powers, while aiding in the creation of a healthy multipolar system that is not marked by close great power alliances.

U.S. nuclear primacy prevents nuclear war over Taiwan---the war likely wouldn’t break out and wouldn’t escalate if it did

Lieber and Press 7 - Keir A. Lieber, Assistant Professor of Political Science at the University of Notre Dame, and Daryl G. Press, Associate Professor of Political Science at the University of Pennsylvania, Winter 2007, “U.S. Nuclear Primacy and the Future of the Chinese Deterrent,” China Security, Issue No. 5, online: http://www.wsichina.org/cs5\_5.pdf

Ironically, one of the clearest explanations for how the United States may use nuclear primacy in a crisis or war with China appears in an earlier article by Blair. His recent article with Chen labels our suggestion that the United States might use nuclear threats “the zenith of provocation” and “unthinkable.”23 However, in the autumn 2005 issue of China Security, Blair describes exactly the crisis dynamics we envision leading to U.S. nuclear threats and perhaps even a preemptive nuclear attack. He notes that if China were to alert its strategic nuclear forces during a war with the United States over Taiwan, “the United States would likely act to beat China to the punch.” He continues, “Given constant U.S. surveillance of Chinese nuclear launch sites, any major Chinese preparations to fire peremptorily would be detected and countered by a rapid U.S. preemptive strike against the sites by U.S. conventional or nuclear forces… The United States could easily detect and react inside of the lengthy launch cycle time of Chinese forces.”24

Blair’s words mirror our argument and suggest the two ways that nuclear primacy may benefit the United States. First, if the Chinese were to threaten nuclear escalation in the context of a Taiwan war, the U.S. could strike first and likely destroy the Chinese force on the ground – “beat China to the punch,” as Blair puts it. Second, China’s knowledge of its vulnerability to nuclear preemption might prevent China from alerting its nuclear force – or even attacking Taiwan – in the first place.

This conclusively turns modernization---China’s motivated by attempts to exploit U.S. vulnerability, not offsetting U.S. capabilities

Pfaltzgraff 9 – Robert L. Pfaltzgraff, Jr., Shelby Cullom Davis Professor of International Security Studies at Tufts University, April 7, 2009, “China–U.S. Strategic Stability,” online: http://www.carnegieendowment.org/files/2009npc\_prepared\_pfaltzgraff.pdf

This brings me back to the question of what type of strategic relationship can the United States have with China. If China seeks to extend its power and influence in and beyond the Asia-Pacific area, it follows that it will attempt to do so by building capabilities not so much to counter U.S. strengths but instead in order to exploit U.S. vulnerabilities. This is the meaning of the term asymmetrical warfare and it accords fully with the writings of Sun Tsu setting for the age-old strategic principle that you should exploit an enemy’s weakness, not his points of strength. To quote from an article published in the Liberation Army Daily in 1999:

(A) strong enemy with absolute superiority is certainly not without weakness… [our] military preparations need to be more directly aimed at finding tactics to exploit the weaknesses of a strong enemy.

China’s extensive investment in missiles, submarines, naval mines, counterspace systems, and special operations force seems to underscore this emphasis on asymmetrical warfare. In fact, Chinese military writings refer to “assassin’s mace” as acquiring asymmetric capabilities designed to give a technologically inferior state advantages over a technologically superior power. This seems to be a guiding principle for China’s strategic modernization across the board.

### 1NC Prolif Adv

#### New proliferators will build small arsenals which are uniquely stable.

**Seng 98** (Jordan, PhD Candidate in Pol. Sci. – U. Chicago, Dissertation, “Strategy for Pandora's Children: Stable Nuclear Proliferation Among Minor States”, p. 203-206)

However, this "state of affairs" is not as dangerous as it might seem. The nuclear arsenals of limited nuclear proliferators will be small and, consequently, the command and control organizations that manage those arsenals will be small as well. The small arsenals of limited nuclear proliferators will mitigate against many of the dangers of the highly delegative, 'non-centralized' launch procedures Third World states are likely to use. This will happen in two main ways. First, only a small number of people need be involved in Third World command and control. The superpowers had tens of thousands of nuclear warheads and thousands of nuclear weapons personnel in a variety of deployments organized around numerous nuclear delivery platforms. A state that has, say, fifty nuclear weapons needs at most fifty launch operators and only a handful of group commanders. This has both quantitative and qualitative repercussions. Quantitatively, the very small number of people 'in the loop' **greatly diminishes the statistical probability** that accidents or human error will result in inappropriate nuclear launches. All else being equal, the chances of finding some guard asleep at some post increases with the number of guards and posts one has to cover. Qualitatively, small numbers makes it possible to centrally train operators, to screen and choose them with exceeding care, 7 and to keep each of them in direct contact with central authorities in times of crises. With very small control communities, there is no need for intermediary commanders. Important information and instructions can get out quickly and directly. Quality control of launch operators and operations is easier. In some part, at least, Third World states can compensate for their lack of sophisticated use-control technology with a more controlled selection of, and more extensive communication with, human operators. Secondly, and relatedly, Third World proliferators will not need to rely on cumbersome standard operating procedures to manage and launch their nuclear weapons. This is because the number of weapons will be so small, and also because the arsenals will be very simple in composition. Third World stares simply will not have that many weapons to keep track of. Third World states will not have the great variety of delivery platforms that the superpowers had (various ballistic missiles, cruise missiles, long range bombers, fighter bombers, missile submarines, nuclear armed ships, nuclear mortars, etc., etc.), or the great number and variety of basing options, and they will not employ the complicated strategies of international basing that the superpowers used. The small and simple arsenals of Third World proliferators will not require highly complex systems to coordinate nuclear activities. This creates two specific organizational advantages. One, small organizations, even if they do rely to some extent of standard operating procedures, can be flexible in times of crisis. As we have discussed, the essential problem of standard operating procedures in nuclear launch processes is that the full range if possible strategic developments cannot be predicted and specified before the fact, and thus responses to them cannot be standardized fully. An unexpected event can lead to 'mismatched' and inappropriate organizational reactions. In complex and extensive command and control organizations, standard operating procedures coordinate great numbers of people at numerous levels of command structure in a great multiplicity of places. If an unexpected event triggers operating procedures leading to what would be an inappropriate nuclear launch, it would be very difficult for central commanders to “get the word out' to everyone involved. The coordination needed to stop launch activity would be at least as complicated as the coordination needed to initiate it, and, depending on the speed of launch processes, there may be less time to accomplish it. However, the small numbers of people involved in nuclear launches and the simplicity of arsenals will make it far easier for Third World leaders to 'get the word out' and reverse launch procedures if necessary. Again, so few will be the numbers of weapons that all launch operators could be contacted directly by central leaders. The programmed triggers of standard operating procedures can be passed over in favor of unscripted, flexible responses based on a limited number of human-to-human communications and confirmations. Two, the smallness and simplicity of Third World command and control organizations will make it easier for leaders to keep track of everything that is going on at any given moment. One of the great dangers of complex organizational procedures is that once one organizational event is triggered—once an alarm is sounded and a programmed response is made—other branches of the organization are likely to be affected as well. This is what Charles Perrow refers to as interactive complexity, 8 and it has been a mainstay in organizational critiques of nuclear command and control s ystems.9 The more complex the organization is, the more likely these secondary effects are, and the less likely they are to be foreseen, noticed, and well-managed. So, for instance, an American commander that gives the order to scramble nuclear bombers over the U.S. as a defensive measure may find that he has unwittingly given the order to scramble bombers in Europe as well. A recall order to the American bombers may overlook the European theater, and nuclear misuse could result. However, when numbers of nuclear weapons can be measured in the dozens rather than the hundreds or thousands, and when deployment of those weapons does not involve multiple theaters and forward based delivery vehicles of numerous types, tight coupling is unlikely to cause unforeseen and unnoticeable organizational events. Other things being equal, it is just a lot easier to know all of what is going on. In short, while Third World states may not have the electronic use-control devices that help ensure that peripheral commanders do nor 'get out of control,' they have other advantages that make the challenge of centralized control easier than it was for the superpowers. The small numbers of personnel and organizational simplicity of launch bureaucracies means that even if a few more people have their fingers on the button than in the case of the superpowers, there will be less of a chance that weapons will be launched without a definite, informed and unambiguous decision to press that button.

#### Prolif will be slow

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The risk of an arms race—with, say, other Persian Gulf states rushing to build a bomb after Iran got one—is a bit harder to dispel. Once again, however, history is instructive. "In 64 years, the most nuclear-weapons states we've ever had is 12," says Waltz. "Now with North Korea we're at nine. That's not proliferation; that's spread at glacial pace." Nuclear weapons are so controversial and expensive that only countries that deem them absolutely critical to their survival go through the extreme trouble of acquiring them. That's why South Africa, Ukraine, Belarus, and Kazakhstan voluntarily gave theirs up in the early '90s, and why other countries like Brazil and Argentina dropped nascent programs. This doesn't guarantee that one or more of Iran's neighbors—Egypt or Saudi Arabia, say—might not still go for the bomb if Iran manages to build one. But the risks of a rapid spread are low, especially given Secretary of State Hillary Clinton's recent suggestion that the United States would extend a nuclear umbrella over the region, as Washington has over South Korea and Japan, if Iran does complete a bomb. If one or two Gulf states nonetheless decided to pursue their own weapon, that still might not be so disastrous, given the way that bombs tend to mellow behavior.

#### No domino effect

Alagappa 9—Distinguished Senior Fellow, East-West Center. PhD, IR, Tufts (Muthiah, The long shadow: nuclear weapons and security in 21st century Asia, ed. Alagappa, 521-2)

It will be useful at this juncture to address more directly the set of instability arguments advanced by certain policy makers and scholars: the domino effect of new nuclear weapon states, the probability of preventive action against new nuclear weapon states, and the compulsion of these states to use their small arsenals early for fear of losing them in a preventive or preemptive strike by a stronger nuclear adversary. On the domino effect, India's and Pakistan's nuclear weapon programs have not fueled new programs in South Asia or beyond. Iran's quest for nuclear weapons is not a reaction to the Indian or Pakistani programs. It is grounded in that country's security concerns about the United States and Tehran's regional aspirations. The North Korean test has evoked mixed reactions in Northeast Asia. Tokyo is certainly concerned; its reaction, though, has not been to initiate its own nuclear weapon program but to reaffirm and strengthen the American extended deterrence commitment to Japan. Even if the U.S. Japan security treaty were to weaken, it is not certain that Japan would embark on a nuclear weapon program. Likewise, South Korea has sought reaffirmation of the American extended deterrence commitment, but has firmly held to its nonnuclear posture. Without dramatic change in its political, economic, and security circumstances, South Korea is highly unlikely to embark on a covert (or overt) nuclear weapon program as it did in the 1970s. South Korea could still become a nuclear weapon state by inheriting the nuclear weapons of North Korea should the Kim Jong Il regime collapse. Whether it retains or gives up that capability will hinge on the security circumstances of a unified Korea. The North Korean nuclear test has not spurred Taiwan or Mongolia to develop nuclear weapon capability. The point is that each country's decision to embark on and sustain nuclear weapon programs is contingent on its particular security and other circumstances. **Though appealing, the domino theory is not predictive**; often it is employed to justify policy on the basis of alarmist predictions. The loss of South Vietnam, for example, did not lead to the predicted domino effect in Southeast Asia. In fact the so-called dominos became drivers of a vibrant Southeast Asia and brought about a fundamental transformation in that subregion (Lord 1993, 1996). In the nuclear arena, the nuclear programs of China, India, and Pakistan were part of a security chain reaction, not mechanically falling dominos. However, as observed earlier the Indian, Pakistani, and North Korean nuclear tests have thus far not had the domino effect predicted by alarmist analysts and policy makers. Great caution should be exercised in accepting at face value the sensational predictions of individuals who have a vested interest in accentuating the dangers of nuclear proliferation. Such analysts are now focused on the dangers of a nuclear Iran. A nuclear Iran may or may not have destabilizing effects. Such claims must be assessed on the basis of an objective reading of the drivers of national and regional security in Iran and the Middle East.

Nuclear primacy eliminates the threat of any adversary’s second-strike---that deters asymmetric balancing---eliminating counterforce causes more asymmetric responses and allied prolif

Mazol 9 – James Mazol, Editor, International Affairs Review, November 15, 2009, “Nuclear Doublethink: How Disarmament Undermines Nonproliferation,” online: http://www.iar-gwu.org/node/101

Disarmament could provoke proliferation in ways other than undermining extended deterrence guarantees and unnerving allies. As deployed weapons and stockpiles dwindle, the remaining weapons become marginally more valuable. Other than the U.S. and Russia, other nuclear powers have relatively small arsenals. For example, China has about 20 silo-based weapons completely susceptible to a U.S. “counterforce” strike. Counterforce entails striking an enemy’s nuclear weapons instead of holding large cities hostage. A U.S. counterforce strategy—using precision guided, low-yield weapons—is conceivable against China, North Korea, (in the future) Iran, and future potential competitors and enemies. Few believe the U.S. will actually kill millions of people in retaliation for their government’s misdeeds. Writing in Foreign Affairs, Keir Lieber and Daryl Press argue the U.S. could destroy China’s arsenal causing only 700 civilian casualties, a number “comparable to the number of civilians killed since 2006 in Pakistan by U.S. drone strikes.”

Significant U.S. disarmament will forfeit this counterforce capability—a capability which all (except Russia) now must take seriously. This will spur more attempts to build small nuclear forces, more Irans and more North Koreas. A tiny, unsophisticated arsenal will tend to encourage aggressive states, undeterred by a small U.S. arsenal. The U.S. will no longer have the ability to “disarm” an enemy with a few weapons, making them more attractive. As they have in the past, countries will run huge risks, enduring international condemnation and sanctions, to acquire weapons. Once again, disarmament undercuts nonproliferation.

Reducing nuclear forces and nonproliferation are both worthy goals. Indeed, the United States could cut much of its high-yield weapons, which only exist to threaten a mass slaughter of civilians that America is unlikely to ever undertake. The NPT and other nonproliferation efforts have helped restrict membership to the nuclear club. But beyond a certain point these two goals come into conflict. By undermining confidence in extended deterrence and counterforce, disarmament makes owning nuclear weapons more attractive to adversaries and allies. The Obama administration should end this exercise in doublethink and promise realistic reduction in nuclear weapons rather than the dangerous fantasy of complete abolition.

U.S. nuclear primacy prevents allied prolif---undermining extended deterrence credibility sets off a wave of prolif in Asia and the Middle East

Payne 9 – Keith B. Payne, President of The National Institute for Public Policy, 2009, “How Much is Enough?: A Goal-Driven Approach to Defining Key Principles,” online: http://www.lanl.gov/conferences/sw/2009/docs/payne\_livermore-2.pdf

Another national goal that should contribute to the measure of U.S. strategic force adequacy is the assurance of allies, particularly including the contribution of U.S. strategic forces to extended deterrence. This goal is far from new and has great continuity over decades. The 1974 “Schlesinger Doctrine,” for example, included the standard of “essential equivalence” for U.S. strategic forces with the Soviet Union, in part to assure allies with regard to U.S. strategic guarantees. The notion was that allied perceptions of U.S. credibility would be strengthened if they viewed U.S. forces as being at least comparable to those of the Soviet Union.18

Assurance involves allied perceptions of U.S. power and commitment,19 and the related questions of what and how U.S. strategic capabilities can address allies’ unique fears and circumstances. Useful insight regarding the requirements for assurance may be gained through an effort to understand allied fears and perceptions. The step of asking allies how the United States might best provide the assurance necessary to help them remain secure and confident in their non-nuclear status is an obvious first step.

Some allies recently have been explicit that the U.S. extended nuclear deterrent is a key to their assurance and they link their own willingness to remain non-nuclear to the continuation of a credible U.S. extended nuclear deterrent. For example, senior Japanese officials have recently made and confirmed the following seven points: 20

• Some Japanese officials have become seriously concerned about the credibility of the U.S. extended nuclear deterrent;

• If the U.S. extended nuclear deterrent loses credibility, some in Japan believe that other security options will have to be examined;

• Some in Japan see specific characteristics of U.S. nuclear forces as particularly beneficial for extended deterrence; these force characteristics include a range of nuclear capabilities, flexibility, promptness, and precision to allow U.S. deterrence threats that are not made incredible by the prospect of excessive collateral damage;

• US “superiority” in nuclear weapons may be helpful for U.S. extended deterrence responsibilities;

• The overall quantity of U.S. nuclear weapons is important to the credibility of the extended deterrent and any further U.S. reductions should come only as part of a multilateral agreement for reductions among all nuclear weapons states;

• A global freeze in force nuclear numbers at this point would be useful because it would show which countries are intent on building up. Any future U.S. reductions must be structured to discourage any other nuclear power from expanding its nuclear capabilities;

• Japan supports the ultimate elimination of nuclear weapons, but this must be done in a careful, step by step manner that ensures Japanese security throughout the process; this mandates the maintenance of a credible U.S. nuclear deterrent for the foreseeable future.

NATO allies often insist that U.S. nuclear weapons must remain deployed in Europe to provide the necessary assurance while Japanese officials are equally explicit that U.S. nuclear weapons must be “on-call” in a timely fashion, but not deployed on Japanese territory. The contemporary challenge in this regard is obvious: as WMD spread to regional rogue powers, U.S. allies in rough neighborhoods correspondingly become increasingly concerned about the details of the U.S. extended deterrence commitment and the forces intended to make it credible. Their various and diverse views with regard to U.S. nuclear force necessary for extended deterrence will need to be integrated and prioritized.

There is a direct connection between allied perceptions of the assurance value of U.S. nuclear weapons for extended deterrence and nuclear non-proliferation: the U.S. withdrawal of its nuclear extended deterrent coverage would create new and powerful incentives for nuclear proliferation among U.S. friends and allies who, to date, have felt sufficiently secure under the U.S. extended nuclear deterrent to remain non-nuclear.21 As a 2007 report by the Department of State’s International Security Advisory Board concludes:

There is clear evidence in diplomatic channels that U.S. assurances to include the nuclear umbrella have been, and continue to be, the single most important reason many allies have foresworn nuclear weapons. This umbrella is too important to sacrifice on the basis of an unproven ideal that nuclear disarmament in the U.S. would lead to a more secure world....a lessening of the U.S. nuclear umbrella could very well trigger a cascade [of nuclear proliferation] in East Asia and the Middle East.22

( ) Returning to a mutually-assured-destruction relationship with Russia would set off a massive qualitative and quantitative arms race---destroys relations and global stability

Safranchuk 6 – Ivan Safranchuk, Director of the World Security Institute’s Moscow Office, Autumn 2006, “Beyond MAD,” China Security, Issue No. 4, online: http://www.wsichina.org/cs4\_6.pdf

If indeed MAD is eroding, then there is certainly a concern that a change to the new MAD security environment could be more destabilizing than a continuation of the current MAD structure. Restoring MAD would likely be accompanied by a qualitative and quantitative arms race that would have negative consequences for broader political and geopolitical relations. Yet the temptation to escape the logic of mutually assured destruction may be too powerful to resist.

For the arms control community, this may lead to the unexpected conclusion that for the sake of international peace, security and stability, it would be more advisable and realistic to call on Russia to take steps to underpin and reinforce MAD rather than require the United States to remain within MAD through goodwill. Expecting the U.S. government to remain within MAD based on altruism or by principles other than its national interest, based on the judgment of this author, is untenable in the long run and morally flawed.

## Block

### T

#### The soldier who presses the button to launch the nuke isn’t in hostilities --- NDAA proves

Healey & Wilson 13 – Jason Healey is the director of the Cyber Statecraft Initiative at the Atlantic Council. AND\*\*\* A.J. Wilson is a visiting fellow at the

Atlantic Council, 2013, “Cyber Conflict and the War Powers

Resolution: Congressional Oversight

of Hostilities in the Fifth Domain,” jnslp.com/wp-content/uploads/2010/08/11\_Dycus.pdf‎

War Powers and Offensive Cyber Operations¶ In a report submitted to Congress in November 2011, pursuant to a mandate in section 934 of the National Defense Authorization Act for fiscal year 2011, the Pentagon, quoting the WPR’s operative language, stated that:8 **Cyber operations might not include the introduction of armed forces personnel into the area of hostilities.** Cyber operations may, however, be a component of larger operations that could trigger notification and reporting in accordance with the War Powers Resolution. The Department will continue to assess each of its actions in cyberspace to determine when the requirements of the War Powers Resolution may apply to those actions. With the focus on “personnel,” this passage makes clear that the WPR will typically not apply to exclusively cyber conflicts. With cyber warriors executing such operations from centers inside the United States, such as the CYBERCOM facility at Fort Meade, Maryland, at a significant distance from the systems they are attacking and well out of harm’s way. Thus, there is no relevant “introduction” of armed forces. Without such an “introduction,” even the reporting requirements are not triggered. ¶ The view that there can be no introduction of forces into cyberspace **follows naturally from the administration’s argument that the purpose of the WPR is simply to keep US service personnel out of harm’s way** unless authorized by Congress. If devastating unmanned missions do not fall under the scope of the resolution, it is reasonable to argue that a conflict conducted in cyberspace does not either.¶ Arguing the point, an administration lawyer might ask, rhetorically, what exactly do cyber operations “introduce”? On a literal, physical level, electrical currents are redirected; but nothing is physically added to—nor, for that matter, taken away from—the hostile system. To detect any “introduction” at all, we must descend into metaphor; and even there, all that is really introduced is lines of code, packets of data: in other words, information. At most, this information constitutes the cyber equivalent of a weapon. “Armed forces,” by contrast, consist traditionally of weapons plus the flesh and blood personnel who wield them. And that brings us back to our cyber-soldier who, without leaving leafy Maryland, can choreograph electrons in Chongqing. Finally, even if armed forces are being introduced, there are no relevant “hostilities” for the same reason: no boots on the ground, no active exchanges of fire, and no body bags.

#### Contextual definitions bad – intent to define outweighs

Eric Kupferbreg 87, University of Kentucky, Senior Assistant Dean, Academic & Faculty Affairs at Northeastern University, College of Professional Studies Associate Director, Trust Initiative at Harvard School of Public Health 1987 “Limits - The Essence of Topicality” http://groups.wfu.edu/debate/MiscSites/DRGArticles/Kupferberg1987LatAmer.htm

Often, field contextual definitions are too broad or too narrow for debate purposes. Definitions derived from the agricultural sector necessarily incorporated financial and bureaucratic factors which are less relevant in considering a 'should' proposition. Often subject experts' definitions reflected administrative or political motives to expand or limit the relevant jurisdiction of certain actors. Moreover, field context is an insufficient criteria for choosing between competing definitions. A particularly broad field might have several subsets that invite restrictive and even exclusive definitions. (e.g., What is considered 'long-term' for the swine farmer might be significantly different than for the grain farmer.) Why would debaters accept definitions that are inappropriate for debate? If we admit that debate is a unique context, then additional considerations enter into our definitional analysis.

#### Hostilities implies units of US armed forces engaged in an active exchange of fire with opposing units --- weapons systems don’t count

David W. Opderbeck 13, Professor of Law, Seton Hall University School of Law, 8/2/13, “Drone Courts,” http://papers.ssrn.com/sol3/papers.cfm?abstract\_id=2305315

The WPR does not indicate that Congress has any authority to oversee or control the President’s deployment of armed forces in circumstances other than those involving actual or immanent “hostilities.” Recently the Obama administration has interpreted what “hostilities” means in this context very narrowly in connection with U.S. military involvement in the revolution that overthrew Libyan leader Mohammar Quadaffi.176 As Harold Koh, Legal Advisor to the Department of State, testified before the Senate Committee on Foreign Relations in 2011, “as virtually every lawyer recognizes, the operative term, ‘hostilities,’ is an ambiguous standard, which is nowhere defined in the statute.”177 Koh further noted that “[a]pplication of these provisions often generates difficult issues of interpretation that must be addressed in light of a long history of military actions abroad, without guidance from the courts, involving a Resolution passed by a Congress that could not have envisioned many of the operations in which the United States has since become engaged.”178

In light of these ambiguities, Koh testified, the Executive branch, in league with Congress, has engaged in casuistic efforts to determine when a particular situation does or does not involve “hostilities.”179 Koh noted that a particularly influential effort to frame principles for application was developed in 1975 by his predecessor Monroe Leigh and Defense Department General Counsel Martin Hoffmann, in a letter that has become canonical in this context.180 The Leigh-Hoffmann letter states that “hostilities” implies “a situation in which units of the U.S. armed forces are actively engaged in exchanges of fire with opposing units of hostile forces.”181 As Koh interpreted the Leigh-Hoffman letter, if the mission, exposure of U.S. forces, and risk of elevation are each limited, the military forces are not engaged in “hostilities.”182 Koh therefore argued that the involvement of U.S. forces in airstrikes against Quaddafi’s forces did not constitute “hostilities.”

If the practice of previous administrations supplies guiding precedent, Koh’s argument was sound. As Koh noted, the WPR’s requirements for “hostilities” were not invoked for military operations in Grenada, Lebanon, El Salvador, Iraq (Operation Desert Storm), Kosovo, or Somalia.183 It seems that the use of combat drones for targeted strikes also would not ordinarily constitute “hostilities,” since there is usually no “exchange of fire” under such circumstances.

### China Adv

#### China’s foreign policy motivations are driven by the perception the U.S. is in decline---they’ll capitalize on restraint and actively oppose our security interests

WP 10 – Washington Post, January 3, 2010, “U.S.-China relations to face strains, experts say,” online: http://www.washingtonpost.com/wp-dyn/content/article/2010/01/02/AR2010010201751.html

Still, U.S. officials and analysts have noticed a new assertiveness -- what one senior U.S. official called a "sense of triumphalism" -- on the part of officials and the public in China. This stems from a sense in Beijing that the global economic crisis proves the superiority of China's controlled economy and its authoritarian political system -- and that the West, and in particular the United States, is in decline.

This triumphalism was on display during the recently concluded climate talks in Copenhagen. China only sent a deputy foreign minister to meetings set for the level of heads of state; its representatives publicly clashed with their American counterparts. And during the climax of the conference, China's security team tried to block Obama and the rest of his entourage from entering a meeting chaired by China's prime minister, Wen Jiabao.

That type of swagger is new for China and it could make for a stronger reaction from Beijing.

"If they really believe the United States is in decline and that China will soon emerge as a superpower, they may seek to take on the U.S. in ways that will cause real problems," said Bonnie S. Glaser, an expert on China with the Center for Strategic and International Studies.

Complicating this picture is the view of some American analysts that the Obama administration -- with its intensive outreach to Beijing -- tried too hard in its first year to cultivate ties with China. Playing hard to get might have helped smooth out China's swagger, they suggest.

"Somehow the administration signaled to the Chinese that we need them more than they need us," Lampton said. "We're in the role of the supplicant."

The downturn would also occur at a time when China's long-established ally in the United States -- the business community -- is not as willing to argue on China's behalf as it was during rough patches in the past. China's government has made a series of moves to slow or reverse its market-oriented economic reforms over the last year that have prompted concern among many Western businesses. Although China has accused Washington of protectionist measures -- on Wednesday, the United States imposed new duties on Chinese steel-piping imports -- it also has moved aggressively to shut its markets to goods manufactured by Western companies in China. Now groups such as the U.S. Chamber of Commerce, which traditionally backed ties with China, find themselves in the unusual position of organizing a public letter-writing campaign to pressure China to change its policies.

"If they continue on this particular path in a strong and inflexible way, there will be a significant political backlash not just in the United States," said a senior U.S. trade official. "China needs to be aware of that."

#### That destroys U.S. leadership in Asia

Lam 9 – Willy Lam, professor of China studies at Akita International University, Japan, and adjunct professor of history at Chinese University of Hong Kong, November 6, 2009, “Reassurance or Appeasement?,” Far Eastern Economic Review, online: http://www.feer.com/essays/2009/november51/reassurance-or-appeasement

Beijing is not planning to do much in return for Mr. Obama's myriad concessions. Even worse is the probability that the Hu leadership has interpreted Washington's friendly overtures as a sign of weakness. This has prompted Beijing to take more measures to bolster its international standing at the expense of America.

Beijing's enhanced wooing of the Association of Southeast Asian Nations, one of whose purposes is to keep the U.S. out of China's perceived sphere of influence. At the Asean summit last month, Beijing played "dollar diplomacy" by offering Southeast Asian countries a credit line of $15 billion for industrial and infrastructure projects. Premier Wen also secured a consensus pledge that the "Asean plus three" structure—Southeast Asia plus China, Japan and South Korea—would become the "main vehicle toward the long-term goal of building an East Asian Community." Not only the U.S. but such American allies as Australia and India have been excluded from what could be a prototype for an EU-style Asian bloc.

#### No risk of miscalc

Steinfeld ‘10—Edward S. Steinfeld 2010 is Associate Professor of Political Science at the Massachusetts Institute of Technology PLAYING OUR GAME Why China’s Economic Rise Doesn’t Threaten the West p 229¶ There is something else remarkable about China’s chosen path toward convergence. The United State today has real conflicts—over scarce resources, the environment, trade practices, appropriate defense posture, and a variety of other areas.—with numerous countries, Japan and the nations of Western Europe among them. Some of those conflicts are intense, neither easily ignored nor clearly resolvable. However, for a number of nations—again, Japan and the nations of Western Europe most particularly—we do not seriously envision any of these conflicts ever escalating to war. Japan, for example, is today the world’s third largest consumer of oil, behind only the United States and China. We frequently disagree with the diplomatic approaches Japan takes to ensure its energy security. We also in some sense compete with Japan over the same scarce global resources. We do not, however, seriously envision fi ghting Japan for the last drop of oil or facing down Japan’s Navy in a contest over global sea lines of communication. It is simply unthinkable. We do not contemplate such fights presumably because with Japan, we share certain values, certain investments in a common system, and a certain shared common fate as partners in the existing global order.¶ In many areas, we have comparable, if not more serious, disputes with China. The differences again range across trade, the environment, defense modernization, competition for scarce resources, and a number of other areas. With respect to China, though, we have in recent times in some domains (i.e., energy competition, military expansion, etc.) been inclined to view these disputes as precursors to armed conflict. That is, some in the United States have been inclined to think, at least conceptually, in terms of a fi ght with China over something like dwindling oil supplies. In short, we have been inclined to think of China as an adversary not on an issue-by-issue basis but existentially. One of the points of this book is that precisely because of the development path China is now pursuing, its time as an existential adversary has drawn to a close. The conflicts, on an issue-by-issue basis, have not disappeared, and they will not likely disappear in the near future. In some areas—trade and financial relations, for example—they will probably intensify. Yet, although the issues of dispute persist, the conditions under which they are conducted have changed radically. Because of the developmental choices China has made and the kind of influence we exert as a result, we now enjoy a position with respect to China that we could have only dreamed of decades ago. China, by linking its national destiny to the existing global order and by defining so many of its aspirations in terms similar to our own, is now neither necessarily an ally nor a friend. What it is, however, whether or not we choose to describe it as such, is a partner, an entity that shares with us an increasingly common set of values, practices, and outlooks. Most transparently, it shares with us an interest in sustaining the global system it has joined.

#### No crisis instability or miscalc

Bolkcom et al 6 – Christopher Bolkcom, Foreign Affairs, Defense, and Trade Division of the Congressional Research Service, et al., August 11, 2006, “U.S. Conventional Forces and Nuclear Deterrence: A China Case Study,” online: http://www.au.af.mil/au/awc/awcgate/crs/rl33607.pdf

Once a conflict begins, participants can feel pressure to act quickly, to control events and to manage the crisis in a way that meets its interests. This, in turn, can make the crisis escalate quickly and unpredictably. For example, if its command and control systems were protected from attack and offered redundant capabilities, and its forces were not vulnerable to an early strike by the adversary, then a nation could delay its response, await further information, and possibly seek alternate means to resolve the conflict.

On the other hand, if a country’s command and control infrastructure and its key forces were vulnerable to attack early in a conflict, then it might feel compelled to act quickly, using those forces before it lost them to attack, and before it had complete information about the intent and capabilities of its adversary in pursuing the conflict. Preferably, the capabilities or posture of a nation’s conventional and nuclear forces would not inherently add to this instability.

Specific U.S. crisis stability objectives in these scenarios may include fielding forces that 1) are not vulnerable, and do not make Chinese forces vulnerable to “use it or lose it” pressures, and 2) do not appear to be either vulnerable to or capable of political or military decapitation.

Both the United States and China have currently deployed their long-range nuclear forces in ways that would not leave them vulnerable to a first strike, and therefore, appear unlikely to undermine stability in a crisis. Chinese forces lack the accuracy to attack U.S. land-based forces and cannot effectively track and engage U.S. submarines that carry ballistic missiles (called SSBNs). Chinese long-range missiles are deployed in deeply buried silos, protected by rough terrain and mountains, or deployed on mobile launchers. Therefore, neither the United States nor China would experience pressure to use these weapons before losing them. Early warning and command and control systems, could, however, still be vulnerable to disruption on both sides. Therefore, efforts to disrupt these assets, or other factors, such as a desire to achieve tactical surprise, could stimulate prompt or accelerated responses as soon as a crisis unfolds.

The U.S. has had primacy over China for decades---zero risk modernization’s driven by it

Blair and Chen 6 – Bruce G. Blair, President of the World Security Institute, and Chen Yali, Program Manager of Chen Shi China Research Group, Autumn 2006, “The Fallacy of Nuclear Primacy,” China Security, online: <http://www.wsichina.org/cs4_4.pdf>

The professors ignore Cold War history in arguing that the nuclear primacy the United States allegedly enjoys will drive China toward a rapid build-up of its nuclear force that risks precipitating a nuclear arms race and aggravating tensions between them. Throughout the Cold War era, even when China was threatened repeatedly by both the United States and the Soviet Union with nuclear weapons and possibility of military confrontation, both of whom held absolute nuclear superiority over China, China did not accelerate its nuclear program to close the gap. An unflinching China chose to cap its nuclear arsenal at a low level instead of launching a crash program to compete numerically with either of the nuclear superpowers that threatened it. This decision may have been partially based on the realization that China lacked the resources needed to compete and would lose an arms race with its adversaries. But the deeper rationale for China’s restraint was its belief that primacy lacked any real utility. China maintained and still maintains a stark indifference toward nuclear primacy.

[“The professors” in this article refers to Lieber & Press]

Modernization is stable---no arms race or miscalc

Yuan 9 – Jing-Dong Yuan, Director of the East Asia Nonproliferation Program at the James Martin Center for Nonproliferation Studies and associate professor of international policy studies at the Monterey Institute of International Studies, April 2009, “China and the Nuclear-Free World,” in Engaging China and Russia on Nuclear Disarmament, eds. Hansell and Potter, online: http://cns.miis.edu/opapers/op15/op15.pdf

China has long maintained that its nuclear weapons development is largely driven by the need to respond to nuclear coercion and blackmail. The role of nuclear weapons, in this context, is purely defensive and retaliatory, rather than war-fighting, as some western analysts suggest.19 Indeed, in the early years, China even rejected the concept of deterrence, regarding it as an attempt by the superpowers to compel others with the threat of nuclear weapons. This probably explains the glacial pace with which China introduced, modified, and modernized its small-size nuclear arsenals over the past four decades. Mainly guided by the principle that nuclear weapons will only be used (but used in a rather indiscriminate way) if China is attacked with nuclear weapons by others, nuclear weapons in China’s defense strategy serve political rather than military purposes.20

PLA analysts emphasize that the terms “nuclear strategy” and “nuclear doctrine” are rarely used in Chinese strategic discourse; instead, a more commonly used term refers to “nuclear policy,” which in turn is governed by the country’s national strategy. Hence, the deployment and use of nuclear weapons are strictly under the “supreme command” of the Communist Party and its Central Military Commission. Nuclear weapons are for strategic deterrence only; no tactical or operational utility is entertained. If and when China is under a nuclear strike, regardless of the size and the yield, it warrants strategic responses and retaliation.21 Chinese leaders and military strategists consider the role for nuclear weapons as one of defensive nuclear deterrence (ziwei fangyu de heweishe). Specifically, the country’s nuclear doctrine and force modernization have been informed and guided by three general principles: effectiveness (youxiaoxing), sufficiency (zugou), and counter-deterrence (fanweishe).22 China’s 2006 Defense White Paper emphasizes the importance of developing land-based strategic capabilities, both nuclear and conventional, but provides no specifics on the existing arsenal, the structure of the Second Artillery Corps (China’s strategic nuclear force) order of battle, or the projected size of the nuclear force. It indicates only that China will continue to maintain and build a lean and effective nuclear force. While Chinese analysts acknowledge that deterrence underpins China’s nuclear doctrine, it is more in the sense of preventing nuclear coercion by the superpower(s) without being coercive itself, and hence it is counter-coercion or counter-deterrence. Rather than build a large nuclear arsenal as resources and relevant technologies have become available, a path pursued by the superpowers during the Cold War, China has kept the size of its nuclear weapons modest, compatible with a nuclear doctrine of minimum deterrence.23 According to Chinese analysts, nuclear weapons’ role in China’s defense doctrine and posture is limited and is reinforced by the NFU position, a limited nuclear arsenal, and support of nuclear disarmament.

### Prolif Adv

#### New proliferators will have small arsenals – 5 reasons.

Seng 98[Jordan, PhD Candidate in Pol. Sci. – U. Chicago, Dissertation, “STRATEGY FOR PANDORA'S CHILDREN: STABLE NUCLEAR PROLIFERATION AMONG MINOR STATES”, p.56-57]

Kenneth Waltz argues that leaders in all new nuclear states will build only small arsenals. His claim rests primarily on the assumption that all new nuclear states will believe they only need to threaten adversaries with the destruction of one or two cities to ensure stable deterrence, and that they subsequently will be reluctant to dedicate massive resources to building large nuclear arsenals.' My claim is less broad, and it concerns only stares in the developing world. I argue that conditions in the developing world are such that whether leaders think they need to be able to destroy only one city or believe they should have the capability to achieve complete societal destruction of an adversary, they very likely will judge that only very small nuclear arsenals are needed for the job. Moreover, because conditions are such that arsenal buildups will exact high economic, political and security costs on developing states, it is very unlikely they will build more weapons than they believe they need. What follows is an examination of the specific conditions on which these claims are based. There are five main reasons to expect small arsenals among nuclear states in the developing world. They include 1) the limited number of targets developing states will have to worry about, 2) fears concerning 'regional suicide' through nuclear fallout, 3) economic constraints related to nuclear production and military budgets, 4) the specific manner in which developing states reap political rewards and prestige from nuclear weapons development, and 5) the requirements of keeping nuclear arsenals opaque. These factors can carry a cumulative weight in developing state proliferators, which is to say that their cumulative effect may serve to constrain arsenal buildup when the individual effect of any one of them may not be sufficient. They also reinforce each other in important ways, meaning that if policymakers recognize the existence of one or some of the conditions they are likely to recognize most or all of them, and thus their cumulative weight is likely CO be felt. Not all the factors discussed here will apply to all proliferators and potential proliferators in the developing world; however, it is not necessary that they do. It is simply necessary that enough of the factors apply, or that one of them applies strongly enough, to generate the essential constraining effects. This is very likely to be the case in all developing world situations.

U.S. nuclear primacy prevents allied prolif---undermining extended deterrence credibility sets off a wave of prolif in Asia and the Middle East

Payne 9 – Keith B. Payne, President of The National Institute for Public Policy, 2009, “How Much is Enough?: A Goal-Driven Approach to Defining Key Principles,” online: http://www.lanl.gov/conferences/sw/2009/docs/payne\_livermore-2.pdf

Another national goal that should contribute to the measure of U.S. strategic force adequacy is the assurance of allies, particularly including the contribution of U.S. strategic forces to extended deterrence. This goal is far from new and has great continuity over decades. The 1974 “Schlesinger Doctrine,” for example, included the standard of “essential equivalence” for U.S. strategic forces with the Soviet Union, in part to assure allies with regard to U.S. strategic guarantees. The notion was that allied perceptions of U.S. credibility would be strengthened if they viewed U.S. forces as being at least comparable to those of the Soviet Union.18

Assurance involves allied perceptions of U.S. power and commitment,19 and the related questions of what and how U.S. strategic capabilities can address allies’ unique fears and circumstances. Useful insight regarding the requirements for assurance may be gained through an effort to understand allied fears and perceptions. The step of asking allies how the United States might best provide the assurance necessary to help them remain secure and confident in their non-nuclear status is an obvious first step.

Some allies recently have been explicit that the U.S. extended nuclear deterrent is a key to their assurance and they link their own willingness to remain non-nuclear to the continuation of a credible U.S. extended nuclear deterrent. For example, senior Japanese officials have recently made and confirmed the following seven points: 20

• Some Japanese officials have become seriously concerned about the credibility of the U.S. extended nuclear deterrent;

• If the U.S. extended nuclear deterrent loses credibility, some in Japan believe that other security options will have to be examined;

• Some in Japan see specific characteristics of U.S. nuclear forces as particularly beneficial for extended deterrence; these force characteristics include a range of nuclear capabilities, flexibility, promptness, and precision to allow U.S. deterrence threats that are not made incredible by the prospect of excessive collateral damage;

• US “superiority” in nuclear weapons may be helpful for U.S. extended deterrence responsibilities;

• The overall quantity of U.S. nuclear weapons is important to the credibility of the extended deterrent and any further U.S. reductions should come only as part of a multilateral agreement for reductions among all nuclear weapons states;

• A global freeze in force nuclear numbers at this point would be useful because it would show which countries are intent on building up. Any future U.S. reductions must be structured to discourage any other nuclear power from expanding its nuclear capabilities;

• Japan supports the ultimate elimination of nuclear weapons, but this must be done in a careful, step by step manner that ensures Japanese security throughout the process; this mandates the maintenance of a credible U.S. nuclear deterrent for the foreseeable future.

NATO allies often insist that U.S. nuclear weapons must remain deployed in Europe to provide the necessary assurance while Japanese officials are equally explicit that U.S. nuclear weapons must be “on-call” in a timely fashion, but not deployed on Japanese territory. The contemporary challenge in this regard is obvious: as WMD spread to regional rogue powers, U.S. allies in rough neighborhoods correspondingly become increasingly concerned about the details of the U.S. extended deterrence commitment and the forces intended to make it credible. Their various and diverse views with regard to U.S. nuclear force necessary for extended deterrence will need to be integrated and prioritized.

There is a direct connection between allied perceptions of the assurance value of U.S. nuclear weapons for extended deterrence and nuclear non-proliferation: the U.S. withdrawal of its nuclear extended deterrent coverage would create new and powerful incentives for nuclear proliferation among U.S. friends and allies who, to date, have felt sufficiently secure under the U.S. extended nuclear deterrent to remain non-nuclear.21 As a 2007 report by the Department of State’s International Security Advisory Board concludes:

There is clear evidence in diplomatic channels that U.S. assurances to include the nuclear umbrella have been, and continue to be, the single most important reason many allies have foresworn nuclear weapons. This umbrella is too important to sacrifice on the basis of an unproven ideal that nuclear disarmament in the U.S. would lead to a more secure world....a lessening of the U.S. nuclear umbrella could very well trigger a cascade [of nuclear proliferation] in East Asia and the Middle East.22

### Politics

#### Congress will successfully avert shutdown now, but Boehner will take it down to the wire

Tal Kopan, 9-20-2013, “Chuck Schumer on shutdown: ‘They’ll blink’,” Politico, http://www.politico.com/story/2013/09/government-shutdown-update-chuck-schumer-97118.html

Sen. Chuck Schumer thinks Republicans won’t go through with shutting down the government, but Republican leadership doesn’t yet have the strength to stand up to the tea party. “At the end of the day, they’ll blink,” Schumer said Friday on MSNBC’s “Morning Joe.” The New York Democrat said he can tell House Republican leaders don’t want to go through with a government spending bill that defunds Obamacare and is dead on arrival in the Senate. “Just look at the body language of Speaker [John] Boehner, of Eric Cantor, they know it’s wrong. All the Republican leadership knows that doing this is a disaster for them; they’re not strong enough to resist the tea party,” Schumer said. Schumer said he believes the GOP leaders are looking ahead to when the deadline to act actually comes, with the hope that moderate Republicans win out. “I think that the Republican leadership is hoping that when we get right up to the debt ceiling, right up to the line, there is such pressure on mainstream Republicans that they stand up … and say to Speaker Boehner and Eric Cantor, ‘Don’t let those 60 tea party people dictate, it’s a disaster.’”

#### Senate will pass a clean CR and kick it back to the house – will go down to the wire

Sean Sullivan, 9-20-2013, “A step-by-step guide to what’s next in the government shutdown showdown,” Washington Post, http://www.washingtonpost.com/blogs/the-fix/wp/2013/09/19/a-step-by-step-guide-to-whats-next-in-the-government-shutdown-showdown/

Continuing resolutions and Obamacare and a shutdown. Oh my! The House on Friday passed a measure that would keep government running and defund Obamacare, setting the stage for a flurry of activity in both chambers of Congress leading up to Sept. 30, the deadline for the federal government to replenish its funding. So, what’s next? Several things — some which we know with more certainty than others. Below we explain how we anticipate the debate playing out on Capitol Hill, step by step, with the caveat that there are a lot of moving parts, and things could change in a hurry. 1. The House voted Friday on a stopgap spending bill that will fund the government beyond Sept. 30, with one exception: Obamacare. This is what House conservatives have been demanding. The measure passed 230-189, with only two Democrats and one Republican crossing party lines. 2. The bill will now go to the Senate, where it stands zero chance of winning passage. None. Zilch. A coterie of Senate conservatives has been trying to ramp up support for defunding Obamacare in the budget debate. But their effort has gained virtually no traction. They will continue to fight. (Sen. Ted Cruz (R-Tex.) has promised to filibuster, though as filibuster veteran Sen. Rand Paul (R-Ky.) noted, it would only delay, not put a full stop to things.) But ultimately, it’s a battle they stand virtually no chance of winning. 3. Senate Majority Leader Harry Reid (D-Nev.) is expected to strip out the part of the bill that defunds Obamacare. The Senate would then pass a CR without the provision, likely some time next week. Even Cruz, a vocal advocate of defunding Obamacare, acknowledged this is the most likely outcome. 4. The Senate-passed CR would be sent back to the House, which would have only days left to vote on it before the end of the month. And this is where things would get interesting. 5. What Speaker John Boehner (R-Ohio) could say to House conservatives at that point is, ‘Hey, we did all we could, but Senate Republicans couldn’t bring this home. Nor will they ever be able to under the current balance of the upper chamber. Let’s vote for the Senate-passed CR and gear up for next month’s debt ceiling fight, in which we are going to try to delay Obamacare for a year.’ 5a. Maybe that would work. More likely, it wouldn’t. Remember, we’re talking about cast-iron House conservatives that Boehner will have to convince. They haven’t budged so far. It’s going to be a very tough sell for GOP leadership. 6. If it doesn’t work (meaning a majority of Republicans don’t buy it), Boehner will have two choices: 1) Cobble together a coalition of moderate Republicans and Democrats to pass the Senate-approved CR and prevent a shutdown, or 2) Don’t vote on it, stand with the cast-iron conservatives and brace for a shutdown. It would not be an easy call. In other words, he’d be in quite a jam.

#### Boehner will engineer a compromise

Washington Post 9-15-13, "Congress can turn back to the budget now," www.washingtonpost.com/opinions/congress-can-turn-back-to-the-budget-now/2013/09/15/e05c975c-1ca5-11e3-82ef-a059e54c49d0\_story.html

How this latest impasse plays out is anyone’s guess, though there are plausible scenarios under which Mr. Boehner can give the ultras in his caucus a chance to vote one more time against Obamacare, while engineering Democratic acquiescence in a short-term continuation of the current $988 billion annual spending rate. Such a result would avoid a partial government shutdown — for a few months.¶ The debt ceiling, too, probably can be finessed, as it has been in the past. Exactly how is admittedly difficult to predict given Mr. Obama’s insistence that raising it is not negotiable and Mr. Boehner’s seemingly incompatible insistence that he won’t increase Washington’s borrowing capacity except in return for progress on deficit reduction. But a default would not be in either side’s political interest.

#### Boehner will persuade conservatives

Charles J. Lewis 9/15, writer for Greenwich Time, “Congressional delegation cites 'fringe' for potential shutdown,” http://www.greenwichtime.com/local/article/Congressional-delegation-cites-fringe-for-4816954.php

Himes expressed optimism that Boehner will find a way to avoid both the Oct. 1 shutdown and a debt default. Meanwhile, House Republican leaders canceled a weeklong recess that was set to start Sept. 23.¶ Blumenthal also said he was hopeful that Congress will approve a continuing resolution to avoid an Oct. 1 shutdown and, later, avoid a debt default. "I'm optimistic, because eventually these extremists will be either shamed or embarrassed or politically persuaded that they are doing harm to their own cause," he said.¶ He said Boehner appeared to be seeking some consensus among House Republicans and Democrats to approve a continuing resolution and avoid a shutdown. That kind of House action could provide momentum for the Senate to move legislation, he said.

#### Government shutdown stalls the recovery

Motoko Rich, 4-7-2011, "Government Shutdown Would Have Wide Ripples," New York Times, http://www.nytimes.com/2011/04/08/business/economy/08econ.html?pagewanted=all

It’s not just an estimated 800,000 federal employees who would feel the financial pinch of a government shutdown. Among the people anxiously waiting to hear if Congress can reach a budget deal are front desk clerks at the Ahwahnee Hotel in Yosemite National Park, manufacturing executives whose companies supply goods to federal agencies, bank loan officers who make mortgages guaranteed by the Federal Housing Administration and Wall Street analysts who depend on a steady flow of government data. The federal government is, after all, a very big business, and temporarily pulling the plug would disrupt many other businesses. President Obama has warned that the looming shutdown could stall the already fragile economic recovery by choking off much-needed paychecks to workers and introducing another level of uncertainty in an already uncertain world. Economists are divided as to how much the shutdown would rattle the economy. Of course, some of it depends on how long any stoppage lasts. If Congress agrees to a budget quickly, it might be just a few national park visitors who are disappointed over the weekend. But if the hiatus stretches to a week — or to nearly three weeks as it did in 1995 — then the ripples could quickly fan out.

#### Shutdown would cause a recession – past shutdowns didn’t happen during a fragile economy

Daily Kos, 1-14-2013, "Government Shutdown: What It Is, and What It Isn't (Update x1)," http://www.dailykos.com/story/2013/01/14/1178981/-Government-Shutdown-What-It-Is-and-What-It-Isn-t

That said, there is an important element that is very different this time. During the 1995-1996 shutdown, the United States was not undergoing any economic turmoil besides the effects of the shutdown. While Bill Clinton certainly left office with the first projected budget surplus since 1969, he was working with a stable economy. It was a relatively safe time to consider budget cuts and to start paying down the deficit. Today, we're still recovering from 'The Great Recession' and the new economic fad is that the only way out of the recession is to immediately and severely cut spending. President Obama has already cut the deficit by $1.2 trillion dollars (and as pointed out by Jed Lewinson, it's $2.4 trillion counting new tax revenue). Cut too much spending at this point, and the government will depress demand and potentially drive the country back into recession. This is not the time to aim for a balanced budget. This is not a family trying to balance its budget- families don't have B-52s. This is the world's largest economy trying to stay afloat without making bad decisions.

#### This time is different

Ben White and MJ Lee, 8-12-2013, “Next fiscal fight: Why Wall Street should worry,” Politico, http://www.politico.com/story/2013/08/wall-street-debt-ceiling-95426.html?hp=t1

The prevailing view: When Congress returns in September, sabers will be rattled and threats will be hurled. But then, as usual, Washington will grind out a crummy deal that keeps the federal lights on and avoids a disastrous default. “D.C. always gets very close to the edge and then in the end finds an eleventh-hour solution,” said Jan Hatzius, chief economist at Goldman Sachs. “It seems hard to believe that we are going to have a really big problem” But this time — wait for it — could be different. Really, seriously different. Here is just a sampling of why Wall Street may be wrong: The House GOP is hopelessly fractured on spending strategy. Senate Republicans who might otherwise broker a deal face primary challenges that make compromise potentially deadly. Other Senate Republicans are jockeying for 2016. And congressional Democrats have no appetite for any bargain — grand or otherwise — that cuts entitlement spending. President Barack Obama at his Friday news conference before leaving for vacation lectured Republicans and mocked their threats to shut down the government rather than fund his signature health care law. Hardly a promising sign for the fall. “The idea that you would shut down the government at a time when the recovery is getting some traction …,” Obama said, “I’m assuming that they will not take that path. I have confidence that common sense, in the end, will prevail.” And it is not just a government shutdown or debt-ceiling crisis that could cause a Beltway shakeup of markets this fall. There is also the possibility of a nasty confirmation fight for the next chairman of the Federal Reserve just as the central bank starts to wind down its program of buying hundreds of billions in bonds to support the economy. Wrap all this potential dysfunction together and there is a real chance that the fall of 2013 will be more like the summer of 2011, when a near-miss on the debt ceiling led to a ratings agency downgrade, a huge sell-off in the stock market and yet another hit to an economy that might otherwise be heating up nicely. “There’s going to be some pain that isn’t being priced into market expectations,” said Compass Point Research & Trading analyst Isaac Boltansky. “Right now the markets are doing well, but I don’t think it’s pricing in this impending battle.” Or battles.