### Off 1

#### The aff is not topical --- introducing armed forces only refers to human troops, not weapons systems such as nuclear weapons --- prefer our interpretation because it’s based on textual analysis, legislative history, and intent of the WPR

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 War Powers Resolution 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 -- their interpretation- explodes the topic by opening the floodgates to thousands of technologies: chemical, nuclear, biological, just to name a few - each large enough to be their open topic area.

### Off 2

#### The United States Congress should restrict the authority of the President of the United States to introduce Instruments of Mutual Mass Annihilation and Devastation first into hostilities.

Using the word Nuclear Weapons turns case – prevents effective peace movements

Hallett and Summy, 2003 (Brien, associate Professor in the Matsunaga Institute for Peace at the University of Hawaii, and Ralph, Senior Lecturer in Political Science at the University of Queensland, “Detooling the Language of the Master’s House,” April, Peace and Change, Vol. 28, No. 2)

The tool of language helps to shape the argument and outcome of a political conflict

AND

that conventional political and military assumptions about nuclear power can be challenged radically.

Instruments of Mutual Mass Annihilation and Devastation (I-M-Mad) is best

Hallett and Summy, 2003 (Brien, associate Professor in the Matsunaga Institute for Peace at the University of Hawaii, and Ralph, Senior Lecturer in Political Science at the University of Queensland, “Detooling the Language of the Master’s House,” April, Peace and Change, Vol. 28, No. 2)

Another tack is to keep the alternative term discrete and on a purely emotional level

AND

formulate a long-term strategic plan for its general acceptance and usage.

Effective peace movements key to prevent extinction

Hallett and Summy, 2003 (Brien, associate Professor in the Matsunaga Institute for Peace at the University of Hawaii, and Ralph, Senior Lecturer in Political Science at the University of Queensland, “Detooling the Language of the Master’s House,” April, Peace and Change, Vol. 28, No. 2)

Despite the ending of the Cold War, the long-term nuclear threat to

AND

to a flaw in the way the antinuclear forces have framed the debate.

### Off

The United States federal government should build, deploy, and offer to cooperate with Russia on long range low yield nuclear tipped interceptors as a last resort missile defense option. This system should not be designed or sized against the Russia deterrent and the United States federal government should be willing to demonstrate to Russia that this is the case. The United States Congress should prohibit the first use of nuclear forces excluding the use of long range low yield nuclear tipped interceptors as a last resort missile defense option without congressional approval.

CP is competitive—nuclear tipped missile defense is first use

Milne ‘2

(Tom-, Nov. 15, Pugwash Meeting Workshop Report, “No First Use of Nuclear Weapons”, #279, http://www. pugwash.org/reports/nw/milne.htm; Jacob)

Over the years the nuclear weapon states have discussed, hinted at, and planned for the first use of nuclear weapons for all manner of purposes. Some of these purposes have been bound up with the existence of other nuclear weapons: planning for a pre-emptive nuclear strike in the event that nuclear war seemed inevitable, for example, or preventive nuclear war in order to destroy an adversary's incipient or developing nuclear weapons capability. Others have not: in particular nuclear weapons have been used to offset the conventional forces of an adversary at an affordable social and economic cost, and to serve as a weapon of last resort in the face of catastrophic defeat. Use of nuclear weapons has also been threatened as a means of coercion and to deter chemical and biological weapons attack, and notions have been entertained of "demonstration" nuclear strikes as indication of a nation's seriousness of intent in a developing conflict. A somewhat different proposition has been the consideration given to the use of nuclear weapons for ballistic missile defence.

**NMD inevitable—nuclear tipped key to make it effective**

Bruno Staff Writer CFR 09

(Greg-, “National Missile Defense: A Status Report”, http://www.cfr.org/publication/18792/; Jacob)

The viability and cost-effectiveness of missile defense in its many forms has sparked debate for decades. In November 2008, Lt. Gen. Henry A. "Trey" Obering III, then-director of the Missile Defense Agency, told CNN that technology had caught up with ambition. "Not only can we hit a bullet with a bullet, we can hit a spot on the bullet with a bullet," the general said. The agency's current director, Lt. Gen. Patrick J. O'Reilly, has avoided such predictions and has instead highlighted the need to improve testing parameters (PDF). But critics--from analysts to lawmakers--nonetheless take collective umbrage with rosy projections put forth by missile defense supporters. John Isaacs, executive director of the Center for Arms Control and Non-Proliferation, says it's a "common public relations tactic" used by the military to couch missile defense "as a monolithic whole." While some components show promise, Isaacs says, the system remains unproven. "There is no current U.S. missile defense system that can neutralize a ballistic missile threat that employs even simple decoys," he argues.¶ Perhaps the most often cited limitation of the antiballistic missile program involves testing scenarios that do not mimic real-world battle conditions (USA Today), a problem even Pentagon overseers acknowledge. Charles E. McQueary, director of the Defense Department's Operational Test and Evaluation command, writes in his 2008 annual assessment (PDF) of the missile agency that "additional test data collected under realistic flight test conditions is necessary to validate models and simulations and to increase confidence." Experts like Philip E. Coyle III, a senior advisor to the World Security Institute and former assistant secretary of defense in the Clinton administration, are more blunt in their criticism. "It's embarrassing to the Missile Defense Agency and to their contractors when these tests fail, and it can also be costly," Coyle says. "Contractors can lose their award fee if a test fails and try to plan each test so it won't fail."¶ Paul Francis, director of the U.S. Government Accountability Office's acquisition and sourcing management division, told lawmakers in February 2009 of a different problem. Francis said that the Missile Defense Agency had begun fielding system components before being adequately tested, raising the possibility of cost overruns and making it impossible to determine the system's progress. It's a costly guessing game. Coyle says since Reagan's 1983 Star Wars speech, the United States has spent at least $120 billion to develop missile defense, although the actual figure is probably much higher. According to the Government Accountability Office, the missile agency has spent about $56 billion since 2002 and is budgeted to spend an additional $50 billion through 2013. Some congressional leaders, like Senator Carl Levin (D-MI), suggest the time has come to rein in that spending. "The Missile Defense Agency was allowed to cut corners" in the early years of the Bush administration, Levin told Bloomberg in February 2009. "I would say we've got to slow that down and properly test it."

Only nuclear tips can guarantee interceptors hit the missiles and aren’t confused by decoys

Costa ‘6

(Keith J.-, Jan. 5, Inside the Pentagon, “Defense Officials Nix Nuclear-Tipped Interceptor Language from RFP”, Lexis; Jacob)

Philip Coyle, the Pentagon's operational test director during the Clinton administration, said hit-to-kill technology, particularly in the presence of countermeasures, remains an issue of concern for missile defense developers.¶ MDA officials have looked at ways to deal with near misses of the target by a kill vehicle, he told IMD Dec. 21.¶ Those officials considered technology such as placing an array of "outriggers" on exoatmospheric kill vehicles. "The idea was that the outriggers would swing out from the EKV extending the reach of the EKV across a wider area of space," he said. "That way, if a conventional EKV would have missed the target by, say, a few yards, the outriggers might still hit the target."¶ Another option would be an "umbrella-like structure" around the EKV, the former Pentagon official said, adding, "basically, the concept is to turn near misses into hits."¶ But there are missile defense experts who say the only way for the ground-based missile defense system to work dependably would be to use nuclear-tipped interceptors, according to Coyle. These experts argue that "with pure hit-to-kill, and with little or no advance information about the details in such an attack, the miss distances will always be too large," he continued.¶ The United States briefly deployed an anti-ballistic missile system in the mid-1970s called Safeguard that used nuclear-armed interceptors.¶ "Trying to hit an enemy warhead out in space is like trying to hit a hole-in-one in golf, when the hole is going 15,000 miles per hour," Coyle said. "And if the enemy uses countermeasures or decoys, then it's like hitting a hole-in-one when the hole is going 15,000 [miles per hour] and the green is covered with spots that look just like the holes.¶ "With nuclear-tipped interceptors, the proponents would argue, all you need to do is get close to the golf course," he said.

Effective missile defense is key to prevent terrorism that will limit U.S. leadership and detonate WMD

Kennedy President Missile Threat ‘3

(Brian T.-, missilethreat.com a Claremont Institute National Security Project, Jan. 3, Claremont Institute, “Understanding the Need for a National Missile Defense After 9-11”, http://missilethreat.eresources.ws/publications/ id.6/puby detail.asp; Jacob)

On September 11, our nation’s enemies attacked us using hijacked airliners. Next time, the vehicles of death and destruction might well be ballistic missiles armed with nuclear, chemical, or biological warheads. And let us be clear: The United States is defenseless against this mortal danger. We would today have to suffer helplessly a ballistic missile attack, just as we suffered helplessly on September 11. But the dead would number in the millions and a constitutional crisis would likely ensue, because the survivors would wonder — with good reason — if their government were capable of carrying out its primary constitutional duty: to “provide for the common defense.”¶ The Nature of the Threat¶ The attack of September 11 should not be seen as a fanatical act of individuals like Osama Bin Laden, but as a deliberate act of a consortium of nations who hope to remove the U.S. from its strategic positions in the Middle East, in Asia and the Pacific, and in Europe. It is the belief of such nations that the U.S. can be made to abandon its allies, such as Israel, if the cost of standing by them becomes too high. It is not altogether unreasonable for our enemies to act on such a belief. The failure of U.S. political leadership, over a period of two decades, to respond proportionately to terrorist attacks on Americans in Lebanon, to the first World Trade Center bombing, to the attack on the Khobar Towers in Saudi Arabia, to the bombings of U.S. embassies abroad, and most recently to the attack on the USS Cole in Yemen, likely emboldened them. They may also have been encouraged by observing our government’s unwillingness to defend Americans against ballistic missiles. For all of the intelligence failures leading up to September 11, we know with absolute certainty that various nations are spending billions of dollars to build or acquire strategic ballistic missiles with which to attack and blackmail the United States.¶ Who are these enemy nations, in whose interest it is to press the U.S. into retreating from the world stage? Despite the kind words of Russian President Vladimir Putin, encouraging a “tough response” to the terrorist attack of September 11, we know that it is the Russian and Chinese governments that are supplying our enemies in Iraq, Iran, Libya, and North Korea with the ballistic missile technology to terrorize our nation. Is it possible that Russia and China don’t understand the consequences of transferring this technology? Are Vladimir Putin and Jiang Zemin unaware that countries like Iran and Iraq are known sponsors of terrorism? In light of the absurdity of these questions, it is reasonable to assume that Russia and China transfer this technology as a matter of high government policy, using these rogue states as proxies to destabilize the West because they have an interest in expanding their power, and because they know that only the U.S. can stand in their way.¶ We should also note that ballistic missiles can be used not only to kill and destroy, but to commit geopolitical blackmail. In February of 1996, during a confrontation between mainland China and our democratic ally on Taiwan, Lt. Gen. Xiong Guang Kai, a senior Chinese official, made an implicit nuclear threat against the U.S., warning our government not to interfere because Americans “care more about Los Angeles than they do Taipei.” With a minimum of 20 Chinese intercontinental ballistic missiles (ICBMs) currently aimed at the U.S., such threats must be taken seriously.¶ The Strategic Terror of Ballistic Missiles¶ China possesses the DF-5 ballistic missile with a single, four-megaton warhead. Such a warhead could destroy an area of 87.5 square miles, or roughly all of Manhattan, with its daily population of three million people. Even more devastating is the Russian SS-18, which has a range of 7,500 miles and is capable of carrying a single, 24-megaton warhead or multiple warheads ranging from 550 to 750 kilotons.¶ Imagine a ballistic missile attack on New York or Los Angeles, resulting in the death of three to eight million Americans. Beyond the staggering loss of human life, this would take a devastating political and economic toll. Americans’ faith in their government — a government that allowed such an attack — would be shaken to its core. As for the economic shock, consider that damages from the September 11 attack, minor by comparison, are estimated by some economists to be nearly 1.3 trillion dollars, roughly one-fifth of GNP.¶ Missile defense critics insist that such an attack could never happen, based on the expectation that the U.S. would immediately strike back at whomever launched it with an equal fury. They point to the success of the Cold War theory of Mutually Assured Destruction (MAD). But even MAD is premised on the idea that the U.S. would “absorb” a nuclear strike, much like we “absorbed” the attack of September 11. Afterwards the President, or surviving political leadership, would estimate the losses and then employ our submarines, bombers, and remaining land-based ICBMs to launch a counterattack. This would fulfill the premise of MAD, but it would also almost certainly guarantee additional ballistic missile attacks from elsewhere.¶ Consider another scenario. What if a president, in order to avoid the complete annihilation of the nation, came to terms with our enemies? What rational leader wouldn’t consider such an option, given the unprecedented horror of the alternative? Considering how Americans value human life, would a Bill Clinton or a George Bush order the unthinkable? Would any president launch a retaliatory nuclear strike against a country, even one as small as Iraq, if it meant further massive casualties to American citizens? Should we not agree that an American president ought not to have to make such a decision? President Reagan expressed this simply when he said that it would be better to prevent a nuclear attack than to suffer one and retaliate.¶ Then there is the blackmail scenario. What if Osama Bin Laden were to obtain a nuclear ballistic missile from Pakistan (which, after all, helped to install the Taliban regime), place it on a ship somewhere off our coast, and demand that the U.S. not intervene in the destruction of Israel? Would we trade Los Angeles or New York for Tel Aviv or Jerusalem? Looked at this way, nuclear blackmail would be as devastating politically as nuclear war would be physically.¶ How to Stop Ballistic Missiles¶ For all the bad news about the ballistic missile threat to the U.S., there is the good news that missile defense is well within our technological capabilities. As far back as 1962, a test missile fired from the Kwajaleen Atoll was intercepted (within 500 yards) by an anti-ballistic missile launched from Vandenberg Air Force Base. The idea at the time was to use a small nuclear warhead in the upper atmosphere to destroy incoming enemy warheads. But it was deemed politically incorrect—-as it is still today—-to use a nuclear explosion to destroy a nuclear warhead, even if that warhead is racing toward an American city. So U.S. research since President Reagan reintroduced the idea of missile defense in 1983 has been aimed primarily at developing the means to destroy enemy missiles through direct impact or “hit-to-kill” methods.

Escalates to nuclear war

Speice, ‘6 [Patrick F. Speice, Jr., JD Candidate at The College of William and Mary, “NEGLIGENCE AND NUCLEAR NONPROLIFERATION: ELIMINATING THE CURRENT LIABILITY BARRIER TO BILATERAL U.S.-RUSSIAN NONPROLIFERATION ASSISTANCE PROGRAMS,” William & Mary Law Review, February 2006, 47 Wm and Mary L. Rev. 1427]

Accordingly, there is a significant and ever-present risk that terrorists could acquire a nuclear device or fissile material from Russia as a result of the confluence of Russian economic decline and the end of stringent Soviet-era nuclear security measures. 39 Terrorist groups could acquire a nuclear weapon by a number of methods, including "steal[ing] one intact from the stockpile of a country possessing such weapons, or ... [being] sold or given one by [\*1438] such a country, or [buying or stealing] one from another subnational group that had obtained it in one of these ways." 40 Equally threatening, however, is the risk that terrorists will steal or purchase fissile material and construct a nuclear device on their own. Very little material is necessary to construct a highly destructive nuclear weapon. 41 Although nuclear devices are extraordinarily complex, the technical barriers to constructing a workable weapon are not significant. 42 Moreover, the sheer number of methods that could be used to deliver a nuclear device into the United States makes it incredibly likely that terrorists could successfully employ a nuclear weapon once it was built. 43 Accordingly, supply-side controls that are aimed at preventing terrorists from acquiring nuclear material in the first place are the most effective means of countering the risk of nuclear terrorism. 44 Moreover, the end of the Cold War eliminated the rationale for maintaining a large military-industrial complex in Russia, and the nuclear cities were closed. 45 This resulted in at least 35,000 nuclear scientists becoming unemployed in an economy that was collapsing. 46 Although the economy has stabilized somewhat, there [\*1439] are still at least 20,000 former scientists who are unemployed or underpaid and who are too young to retire, 47 raising the chilling prospect that these scientists will be tempted to sell their nuclear knowledge, or steal nuclear material to sell, to states or terrorist organizations with nuclear ambitions. 48 The potential consequences of the unchecked spread of nuclear knowledge and material to terrorist groups that seek to cause mass destruction in the United States are truly horrifying. A terrorist attack with a nuclear weapon would be devastating in terms of immediate human and economic losses. 49 Moreover, there would be immense political pressure in the United States to discover the perpetrators and retaliate with nuclear weapons, massively increasing the number of casualties and potentially triggering a full-scale nuclear conflict. 50

### Off

US de-nuclearization policy is used to justify coercive and aggressive actions designed to preserve US dominance. The affirmative empowers that dominance and is the only means of justifying nuclear war

BondGraham and Parrish 9 (Darwin BondGraham is a sociologist who lives and works in New Orleans, Phd candidate at UC Santa Barbera. Will Parrish is an anti-imperialist organizer and scholar living in northern California: "Anti-nuclear Nuclearism", http://www.fpif.org/fpiftxt/5782)

The Obama administration is likely to continue a policy that we call “anti-nuclear nuclearism**.”** Anti-nuclear nuclearism is a foreign and military policy that relies upon overwhelming U.S. power, including the nuclear arsenal, but makes rhetorical and even some substantive commitments to disarmament, however vaguely defined. Anti-nuclear nuclearism thrives as a school of thought in several think tanks that have long influenced foreign policy choices related to global nuclear forces. Even the national nuclear weapons development labs in New Mexico and California have been avid supporters and crafters of it. As a policy, anti-nuclear nuclearism is designed to ensure U.S. nuclear and military dominance by rhetorically calling for what has long been derided as a naïve ideal: global nuclear disarmament. Unlike past forms of nuclearism, it de-emphasizes the offensive nature of the U.S. arsenal. Instead of promoting the U.S. stockpile as a strategic deterrence or umbrella for U.S. and allied forces, it prioritizes an aggressive diplomatic and military campaign of nonproliferation. Nonproliferation efforts are aimed entirely at other states, especially non-nuclear nations with suspected weapons programs, or states that can be coerced and attacked under the pretense that they possess nuclear weapons or a development program (e.g. Iraq in 2003).Effectively pursuing this kind of belligerent nonproliferation regime requires half-steps toward cutting the U.S. arsenal further, and at least rhetorically recommitting the United States to international treaties such as the Nuclear Non-Proliferation Treaty (NPT). It requires a fig leaf that the United States isn’t developing new nuclear weapons, and that it is slowly disarming and de-emphasizing its nuclear arsenal. By these means the United States has tried to avoid the charge of hypocrisy, even though it has designed and built newly modified weapons with qualitatively new capacities over the last decade and a half. Meanwhile, U.S. leaders have allowed for and even promoted a mass proliferation of nuclear energy and material, albeit under the firm control of the nuclear weapons states, with the United States at the top of this pile. Many disarmament proponents were elated last year when four extremely prominent cold warriors — George P. Shultz, William Perry, Henry Kissinger, and Sam Nunn — announced in a series of op-eds their commitment to "a world free of nuclear weapons." Strange bedfellows indeed for the cause. Yet the fine print of their plan, published by the Hoover Institute and others since then, represents the anti-nuclear nuclearist platform to a tee. It’s a conspicuous yet merely rhetorical commitment to a world without nuclear weapons. These four elder statesmen have said what many U.S. elites have rarely uttered: that abolition is both possible and desirable. However, the anti-nuclear posture in their policy proposal comes to bear only on preventing non-nuclear states from going nuclear, or else preventing international criminal conspiracies from proliferating weapons technologies and nuclear materials for use as instruments of non-state terror. In other words, it’s about other people's nuclear weapons, not the 99% of materials and arms possessed by the United States and other established nuclear powers. This position emphasizes an anti-nuclear politics entirely for what it means for the rest of the world — securing nuclear materials and preventing other states from going nuclear or further developing their existing arsenals. U.S. responsibility to disarm remains in the distant future, unaddressed as a present imperative. Exclusive Route around the CTBT Concerns about the nuclear programs of other states — mostly Islamic, East and South Asian nations (i.e., Iran, North Korea, etc.) — conveniently work to reinforce existing power relations embodied in U.S. military supremacy and neocolonial relationships of technological inequality and dependence. By invoking their commitment to a "world free of nuclear weapons," the ideologues behind the anti-nuclear nuclearist platform justify invasions, military strikes, economic sanctions, and perhaps even the use of nuclear weapons themselves against the "rogue states" and "terrorists" whose possession of weapons technologies vastly less advanced than those perpetually stockpiled by the United States is deemed by the anti-nuclear nuclearists the first and foremost problem of the nuclear age

The 1AC is indoctrination into the cult of the bomb - the impact is endless suffering and warfare. Our alternative is to refuse their nuclear numbing.

**Chernus 86** (Ira, Associate Professor of Religious Studies, UC Boulder, Dr. Strangegod: On the Symbolic Meaning of Nuclear Weapons, p 136-140)

The similarities between the Bomb and other religious realities tell us part of what we need to know. But we must also ask how our new God differs from all previous gods, for only then can we see clearly how it affects us in unprecedented ways. One point, which has been implicit in our previous discussion, must now be brought out explicitly: this God is a machine, a technological device invented by human beings. Yet the machine, being infinitely more powerful than the humans who invented it, has become a Frankenstein's Monster, independent of its creators and capable of turning violently upon them. And "them" is now, of course, all of us. We have the choice of either cooperating or resisting when the machine acts; because of its many appealing symbolic qualities, we generally cooperate. We become partners in the machine's actions and thus, in a very real sense, parts of the machine. We are all soldiers in the front-line trenches, but the Bomb is our commander and we do its bidding. This is especially clear in the concept of MAD; the citizens of all superpowers become linked together in a single machine, which demands more and more sacrifices; the actions of one side must (according to this theory) necessarily evoke corresponding actions from the other side. The way in which we prepare for war reflects and foreshadows the way we shall wage war: "In a push-button war involving nuclear missiles, there will be no direct contact between adversaries. The techniques of war are fast becoming as impersonal and mechanized as pulling a lever to start a production chainbelt. In such a setting, the best soldier is not the 'hero' but the 'automaton.' "1 We voluntarily become automatons, mere parts of a machine, in part because of our age-old mythic dream of being heroes and our mythic desire to embody in ourselves the power inherent in the divine machine. What Moss says of the Strategic Air Command bomber pilot may be true for all of us: "He is equally remote from the human will that makes a decision on using or not using the bomb, and the human suffering that its use would cause. He sees himself as part of a complex instrument, an agent between someone else's will and its effect, a living button. His pride is to function in this role perfectly. He has a sense of importance."2 Ultimately, though, in our symbolic perception, it may very well be the Bomb itself whose will we obey, for how can any human will dare to interfere with that of the divine? Even the greatest national leaders are merely parts of the machine. And, as we have seen, our importance becomes not merely social or political, but in fact sacred and cosmic in scope. At the same time, psychic numbing reinforces the pattern effected by symbolic meaning. For if we are in fact "dead in life," already suffused with the death taint of the Bomb, then it is that much easier to see ourselves as machines and to take pride in being perfectly functioning machines. Of course, this sense of the mechanization of human life was hardly created by the nuclear age. Here, as in so many other instances, the Bomb is both a reflection and a shaper of our relationship with reality. But the elevation of a machine to a central place in our symbolic world—the deification of a machine—surely makes it much more likely that we shall see ourselves as automatons. Moreover, the technologically induced problem offers itself as a solution. As this machine God intensifies our psychic numbing, we seek to escape that numbing by finding meaning in a symbolic form of immortality that is itself technological, as Lifton suggests: "Everyone in this age participates in a sense of immortality derived from the interlocking human projects we call science and technology."3 Thus, as technology absorbs those provinces of life that were previously considered spiritual, it may be fair to say that technology has become the soul of the body of humanity.4 Yet we cannot be totally content with being machines. In fact, as we saw previously, the existentialist movement may be said to have started with Dostoevski's revolt against being a mere piano key, a part of a machine. The sense of dehumanization and the sheer boredom—the flatness of life—which afflicts automatons can be challenged only in situations of great intensity. Russian roulette may easily become, as in the film The Deer Hunter, a primary symbol for the modern world's escape from the dehumanization of a technological God. The intensity of risk is combined with the joy of being entertained in a theater of life-and-death. But for the ultimate "kick," the stakes must be ultimately high. Thus the machine deity leads us to give ourselves over to it in a game of global Russian roulette in which we all hold the pistol. And apparently we do so willingly. Machines must inevitably see all the world as a machine: "The more a man acts on the basis of a self-image that assumes he is powerless, an impotent cog in a huge machine, the more likely he is to drift into a pattern of dehumanized thinking and action toward others."5 "We have become masters of the impersonal and the inanimate. Our energy and even our emotions have gone into things; the things serve us but come between us, changing the relationship of man to man. And the things take on an authority that men accept without protest. The impersonality is epidemic. It is almost as though we feared direct contact, almost as though the soul of man had become septic."6 Thus we find our identity not by relating to other individuals as individuals, but by seeing ourselves merely as a part of "the crowd" or "the nation," whose emblem and savior is the Bomb, the ultimate machine. We lose the subtleties and nuances of human complexity and see the world in absolutes, "us versus them." We view human relationships in terms of the mythic, apocalyptic vision, a vision whose ultimate promise is the annihilation of "their" machine and unlimited license for "our" machine to do whatever it wants. In fact, the ultimate goal of machine people is always to have total dominance, unlimited autonomy to manipulate the environment—both human and natural—in endless technological ways. Thus the machine God also shapes our relationship with our physical and material environment, leading us to the environmental crisis that we now face. Again, the fouling of the air, water, and land was hardly begun in the nuclear age, but the symbolism of the Bomb makes it much more difficult to escape from this predicament too. Behind our callousness toward the natural realm there is not only a desire for quick and easy profit, but a more fundamental view of ourselves as radically separated from nature. In the battle of the machines to dominate the elements, we are clearly on the side of the machines—we are the machines—and this battle is seen in radically dualistic, even apocalyptic, terms. Thus, having no meaningful relationship with nature, we are free, perhaps even compelled, to manipulate it endlessly. The transformation of raw materials into manufactured goods thus becomes our primary goal and value; if the Bomb is God, then the GNP is chief of the angels. Yet our commitment to material goods as highest good may have a more complex significance. It is fostered not only by the symbol of the Bomb as divine controller, manipulator, and dominator, but also by the psychic numbing that the Bomb creates. If we dare not think about the true reality of our lives—the sword of Damocles that constantly threatens total extinction at a moment's notice—then we must divert ourselves, making the other, numbed level so complex and interesting that we shall not have time to think about the truth. And we must make ourselves so comfortable that we shall not care to deal with the danger. Thus the Bomb and the economy are interlocked not only from a strictly economic point of view (though most people do believe that more bombs are good for the economy, despite the doubts raised by economists), but also from the psychological and symbolic standpoints. The Bomb, the economy, and our lives all form parts of one interlocking machine, offering us enough satisfactions that we refuse to ask about the deeper meaning of the machine's life. When this question threatens to arise, the diversions of life as theater of the absurd and global Russian roulette are there to entertain us and soothe our doubts. Thus we desperately desire the security that we hope to gain from total domination and manipulation of our world, but we simultaneously demand the insecurity that will make life interesting and entertaining. And we certainly get this insecurity, for we have based our hopes of security on a God that, as we have seen, cannot provide it. We hope to dominate the Enemy with a weapon that by its very nature cannot offer the freedom that we seek through domination. We are caught in a vicious circle in which the quest for security can only breed the anxiety of insecurity. But machines can't feel anxiety, so it may be easier, for this reason too, to live as a machine. Finally, then, we come to treat not only the natural world and our fellow human beings as machines, but ourselves as well. We offer ourselves, our thoughts and feelings, to the machine and the nation that embodies it, and we perceive those feelings and thoughts as parts of the unreality that surrounds us: "Faced with the prospect of the destruction of ~~man~~kind, we feel neither violent nor guilty, as though we were all involved in a gigantic delusion of negation of the external as well as of our internal reality." 7 We allow ourselves to be numbed, finding it the easiest way to cope with an impossible situation, and thus we commit "partial suicide," which in turn allows us to continue preparing for total suicide on a global scale. We commit ourselves to a machine that is infinitely violent and must wreak its violence on us if it is to be used on others. Therefore, as much as we fear the Enemy, we must fear ourselves in equal measure, and this fear of ourselves reinforces the numbing. So we find powerlessness attractive, even as we chase the delusion of ultimate power, for we know that this dream of ultimate power is ultimately suicidal and thus we want to perceive ourselves as weak—incapable of, or at least not responsible for, pushing the button. Caught in this contradiction, along with so many others, we escape by immersing ourselves in the air of unreality, of craziness, surrounding it all, and thus the circle is completed: at every turn, the symbolism of the Bomb as God, which makes nuclear weapons so attractive to us, reinforces the tendency toward numbing, and numbing reinforces our commitment to the Bomb as God.

### 1NC Threats Fail

#### Congress fails—leads to miscalc and wartime mistakes

Edwin M. Smith 1987; Edwin M. Smith, the Leon Benwell Professor of Law and International Relations at USC, “Congressional Authorization of Nuclear First Use: Problems of Implementation” First Use of Nuclear Weapons: Under the Constitution, Who Decides? P 169

Even if information gathering were an uncomplicated process, analysis of the data would be no simple matter. Analysis of collected information allows the production of “net intelligence assessments” of the goals, capabilities, and strategies of other nations in order to construct interaction proﬁles suggesting the manner in which that nation may respond in particular contexts.5 Analysts in different agencies, encountering extreme difficulty in distinguishing the “sig- nal” of important intelligence from the “noise” of mountains of routinely col- lected information, may dismiss important facts.“ Bureaucratic boundaries may cause analysts to miss important patterns in data existing in different organiza- tions. Parochial conflicts over particular intelligence-gathering programs and methods may frustrate the coordinated collection of essential data.7 Analysts in successive levels of bureaucracy may fail to communicate important ambiguities in that information, causing “uncertainty absorption” which may lead decision makers to place more reliance on the information than is warranteds The wartime expansion of raw data necessary to be analyzed can only exac- erbate the problems of effective assessment. While the peacetime assessment process is highly centralized, the wartime performance of much of the assessment function will devolve to those tactical combat units immediately concerned, since higher commands will only be able to assess that intelligence essential to the function of controlling larger units. The vast amounts of intelligence gathered at the tactical level may not even be transmitted to high-level headquarters. Such a devolution is consistent with historical pattems of hierarchically organized c/onventional military forces Evaluation of information regarding an opponent's intentions involves addi- tional inherent difficulties. Assessments of enemy intentions may prove to be unreliable because adversaries may have multiple goals or goals which evolve with the situation.” The uncertainty regarding an opponent's intentions may even reﬂect that opponent’s real ambivalence." '

### 1nc prolif

#### No modeling, leadership, or NPT cred

Pierre Hassner 2007, Emeritus Research Director and Research Associate at The Centre for International Studies and Research, Sciences Po, Paris, France; Who killed nuclear enlightenment? International Affairs 83: 3 (2007) 427–430)

Probably the most important reason for the crisis of the nuclear order, and for my rather pessimistic assessment of its chances of being solved any time soon, is the sharp decline of the international political order on which the NPT was based. The two elements on which any such order has to rely—power and legitimacy—have been profoundly modified in a direction unfavourable to the West. As a result, inequality is seen by the have-nots as less inevitable and acceptable, and belief in reciprocity is in short supply, both among the nuclear powers and among the nonnuclear states aspiring either to join the club or to fight it. The authority of the West, in particular of the United States, and that of the international institutions it has created but within which its control is increasingly challenged, have been considerably weakened in the last few years. Conversely, the rise of new centres of powers outside the West (whether potential challengers like China and India, a Russia newly powerful thanks to the energy crisis, violent and fanatical but wealthy and technologically able subnational or transnational groups, or armed militias resisting conventional armies) has given rise to a general feeling in ‘the rest’ that they no longer have to accept and follow rules which they have not created and which they feel are intended to perpetuate a domination which belongs to the past. As Bruno Tertrais has pointed out, to the regional reasons which are usually predominant in the decision to acquire nuclear weapons is added a global one: the feeling that the old international order is no longer legitimate, that the world is entering a period of uncertainty where new rules have to be written, and that these rules should be written less by a declining ‘West’ than by an ascending ‘Rest’.10 This feeling has, of course, been enormously strengthened and accelerated by the Iraq disaster. The loss in American prestige and influence since 2003 is quite unprecedented. Some of the reasons for this are profoundly debatable: practically all Muslim countries and most countries of the South see not only the Iraq war but also the Afghan war as basically anti-Islamic, or neo-colonial, or both, and most of us now accept this lumping together of the two interventions. Other reasons are shared even by those of America’s allies that believe in the necessity of fighting terrorism, genocide and the proliferation of weapons of mass destruction. The way the Iraq war has been conducted projects an image of recklessness, of mendacity, of resort to immoral practices like torture and, on top of all this, of ineffectiveness and incoherence. All this has eroded whatever trust previously existed in America’s promises and protection, and in its wisdom and predictability, and this loss of trust obviously has deeply damaging consequences for the NPT bargain. Other actions or omissions by the Bush administration are more directly linked to the nuclear issue. The tolerance of the nuclearization of Israel, India and Pakistan that preceded it has been more wholehearted under its tenure. It may have justified the agreement to help India in nuclear matters, in violation at least of the spirit of the NPT, by appealing to political circumstances. But in any case such decisions show a clear choice of political alliances over general collective security and the general doctrine of non-proliferation. The legalistic argument that these countries had not signed the treaty, as if that made their possession of the bomb any less dangerous, is not very convincing. Similarly, the Bush administration’s commitment to regime change, coupled with the contrast between the overthrow of Saddam Hussein and the lack of military action against the no less evil but nuclear-armed North Korea, creates a clear incentive for any ‘rogue state’ or member of the ‘axis of evil’ to acquire nuclear arms as quickly as possible.11 Of course, the United States and the West more generally are not alone in wishing the failure of such attempts. They are joined in this wish by China and Russia, who play the role of balancers or arbiters, and by the regional neighbours and rivals of countries like North Korea or Iran, who fear their domination or their aggressiveness and would not mind being spared agonizing decisions by the success of western sanctions. But even these regional adversaries of the would-be proliferators are not immune to the powerful and ubiquitous wave of anti-American and, by extension, anti-western resentment and accusations of hypocrisy. As Kishore Mahbubani has put it, ‘All across the world, from street bazaars to university corridors, from corporate boardrooms to government offices, in daily conversations there is disbelief that America is “threatening” Iran with UN Security Council sanctions when America itself has demonstrated—most clearly in the case of Iraq—that it will not accept the authority of the council.’ Similarly, ‘while the treaty remains alive on paper, it has become spiritually dead. Many middle powers have quietly decided that it is a question of when, and not if, they will go nuclear.’12 None of these countries would find it acceptable to be branded as criminal or punished by nuclear powers for trying to follow in their footsteps. Only ‘country-neutral’ measures which apply equally to all have a chance of being accepted. Even a proposal such as that formulated by George Shultz, William Perry, Henry Kissinger and Sam Nunn in January 2007,13 aiming at a world free of nuclear weapons and calling for intermediate measures that run counter to current American policies (such as the ratification of the Comprehensive Test Ban Treaty), is likely to be greeted by the non-nuclear states with irony and distrust. They are bound to ask why respected American statesmen who for decades made the case for nuclear deterrence are suddenly in favour of banning the bomb. They are bound to think that the American strategic establishment saw nothing wrong with nuclear weapons as long as they were confined to the developed world and has discovered their madness when they have become accessible to newcomers. Their response is bound to be: ‘Start by abandoning your own nuclear weapons, or wait until we join the club and abandon them together.’ The situation, then, is every bit as dire as Walker sees it; but its roots are deeper than he implies and the remedies he suggests are not very likely to succeed. Sticking to the Non-Proliferation Treaty and relying on the IAEA and the UN Security Council to enforce it, while permitting and encouraging civilian nuclear energy, looks more and more like a losing proposition. Governments are not seriously intending to commit themselves to the revolutionary step of the universal renunciation of nuclear weapons; and while this goal is making new converts, its chances of adoption are rather decreasing than increasing, for reasons both technical (easier access to the weapons, even, probably, by non-state groups) and political (lack of mutual trust).

#### No prolif, no spillover, no impact

Kahl et. al 13 (Colin H., Senior Fellow at the Center for a New American Security and an associate professor in the Security Studies Program at Georgetown University’s Edmund A. Walsh School of Foreign Service, Melissa G. Dalton, Visiting Fellow at the Center for a New American Security, Matthew Irvine, Research Associate at the Center for a New American Security, February, “If Iran Builds the Bomb, Will Saudi Arabia Be Next?” http://www.cnas.org/files/documents/publications/CNAS\_AtomicKingdom\_Kahl.pdf, 2013)

\*\*\*cites Jacques Hymans, USC Associate Professor of IR\*\*\*

I I I . LESSONS FRO M HISTOR Y Concerns over “regional proliferation chains,” “falling nuclear dominos” and “nuclear tipping points” are nothing new; indeed, reactive proliferation fears date back to the dawn of the nuclear age.14 Warnings of an inevitable deluge of proliferation were commonplace from the 1950s to the 1970s, resurfaced during the discussion of “rogue states” in the 1990s and became even more ominous after 9/11.15 In 2004, for example, Mitchell Reiss warned that “in ways both fast and slow, we may very soon be approaching a nuclear ‘tipping point,’ where many countries may decide to acquire nuclear arsenals on short notice, thereby triggering a proliferation epidemic.” Given the presumed fragility of the nuclear nonproliferation regime and the ready supply of nuclear expertise, technology and material, Reiss argued, “a single new entrant into the nuclear club could catalyze similar responses by others in the region, with the Middle East and Northeast Asia the most likely candidates.”16 Nevertheless, predictions of inevitable proliferation cascades have historically proven false (see The Proliferation Cascade Myth text box). In the six decades since atomic weapons were first developed, nuclear restraint has proven far more common than nuclear proliferation, and cases of reactive proliferation have been exceedingly rare. Moreover, most countries that have started down the nuclear path have found the road more difficult than imagined, both technologically and bureaucratically, leading the majority of nuclear-weapons aspirants to reverse course. Thus, despite frequent warnings of an unstoppable “nuclear express,”17 William Potter and Gaukhar Mukhatzhanova astutely note that the “train to date has been slow to pick up steam, has made fewer stops than anticipated, and usually has arrived much later than expected.”18 None of this means that additional proliferation in response to Iran’s nuclear ambitions is inconceivable, but the empirical record does suggest that regional chain reactions are not inevitable. Instead, only certain countries are candidates for reactive proliferation. Determining the risk that any given country in the Middle East will proliferate in response to Iranian nuclearization requires an assessment of the incentives and disincentives for acquiring a nuclear deterrent, the technical and bureaucratic constraints and the available strategic alternatives. Incentives and Disincentives to Proliferate Security considerations, status and reputational concerns and the prospect of sanctions combine to shape the incentives and disincentives for states to pursue nuclear weapons. Analysts predicting proliferation cascades tend to emphasize the incentives for reactive proliferation while ignoring or downplaying the disincentives. Yet, as it turns out, instances of nuclear proliferation (including reactive proliferation) have been so rare because going down this road often risks insecurity, reputational damage and economic costs that outweigh the potential benefits.19 Security and regime survival are especially important motivations driving state decisions to proliferate. All else being equal, if a state’s leadership believes that a nuclear deterrent is required to address an acute security challenge, proliferation is more likely.20 Countries in conflict-prone neighborhoods facing an “enduring rival”– especially countries with inferior conventional military capabilities vis-à-vis their opponents or those that face an adversary that possesses or is seeking nuclear weapons – may be particularly prone to seeking a nuclear deterrent to avert aggression.21 A recent quantitative study by Philipp Bleek, for example, found that security threats, as measured by the frequency and intensity of conventional militarized disputes, were highly correlated with decisions to launch nuclear weapons programs and eventually acquire the bomb.22 The Proliferation Cascade Myth Despite repeated warnings since the dawn of the nuclear age of an inevitable deluge of nuclear proliferation, such fears have thus far proven largely unfounded. Historically, nuclear restraint is the rule, not the exception – and the degree of restraint has actually increased over time. In the first two decades of the nuclear age, five nuclear-weapons states emerged: the United States (1945), the Soviet Union (1949), the United Kingdom (1952), France (1960) and China (1964). However, in the nearly 50 years since China developed nuclear weapons, only four additional countries have entered (and remained in) the nuclear club: Israel (allegedly in 1967), India (“peaceful” nuclear test in 1974, acquisition in late-1980s, test in 1998), Pakistan (acquisition in late-1980s, test in 1998) and North Korea (test in 2006).23 This significant slowdown in the pace of proliferation occurred despite the widespread dissemination of nuclear know-how and the fact that the number of states with the technical and industrial capability to pursue nuclear weapons programs has significantly increased over time.24 Moreover, in the past 20 years, several states have either given up their nuclear weapons (South Africa and the Soviet successor states Belarus, Kazakhstan and Ukraine) or ended their highly developed nuclear weapons programs (e.g., Argentina, Brazil and Libya).25 Indeed, by one estimate, 37 countries have pursued nuclear programs with possible weaponsrelated dimensions since 1945, yet the overwhelming number chose to abandon these activities before they produced a bomb. Over time, the number of nuclear reversals has grown while the number of states initiating programs with possible military dimensions has markedly declined.26 Furthermore – especially since the Nuclear Non-Proliferation Treaty (NPT) went into force in 1970 – reactive proliferation has been exceedingly rare. The NPT has near-universal membership among the community of nations; only India, Israel, Pakistan and North Korea currently stand outside the treaty. Yet the actual and suspected acquisition of nuclear weapons by these outliers has not triggered widespread reactive proliferation in their respective neighborhoods. Pakistan followed India into the nuclear club, and the two have engaged in a vigorous arms race, but Pakistani nuclearization did not spark additional South Asian states to acquire nuclear weapons. Similarly, the North Korean bomb did not lead South Korea, Japan or other regional states to follow suit.27 In the Middle East, no country has successfully built a nuclear weapon in the four decades since Israel allegedly built its first nuclear weapons. Egypt took initial steps toward nuclearization in the 1950s and then expanded these efforts in the late 1960s and 1970s in response to Israel’s presumed capabilities. However, Cairo then ratified the NPT in 1981 and abandoned its program.28 Libya, Iraq and Iran all pursued nuclear weapons capabilities, but only Iran’s program persists and none of these states initiated their efforts primarily as a defensive response to Israel’s presumed arsenal.29 Sometime in the 2000s, Syria also appears to have initiated nuclear activities with possible military dimensions, including construction of a covert nuclear reactor near al-Kibar, likely enabled by North Korean assistance.30 (An Israeli airstrike destroyed the facility in 2007.31) The motivations for Syria’s activities remain murky, but the nearly 40-year lag between Israel’s alleged development of the bomb and Syria’s actions suggests that reactive proliferation was not the most likely cause. Finally, even countries that start on the nuclear path have found it very difficult, and exceedingly time consuming, to reach the end. Of the 10 countries that launched nuclear weapons projects after 1970, only three (Pakistan, North Korea and South Africa) succeeded; one (Iran) remains in progress, and the rest failed or were reversed.32 The successful projects have also generally needed much more time than expected to finish. According to Jacques Hymans, the average time required to complete a nuclear weapons program has increased from seven years prior to 1970 to about 17 years after 1970, even as the hardware, knowledge and industrial base required for proliferation has expanded to more and more countries.33 Yet throughout the nuclear age, many states with potential security incentives to develop nuclear weapons have nevertheless abstained from doing so.34 Moreover, contrary to common expectations, recent statistical research shows that states with an enduring rival that possesses or is pursuing nuclear weapons are not more likely than other states to launch nuclear weapons programs or go all the way to acquiring the bomb, although they do seem more likely to explore nuclear weapons options.35 This suggests that a rival’s acquisition of nuclear weapons does not inevitably drive proliferation decisions. One reason that reactive proliferation is not an automatic response to a rival’s acquisition of nuclear arms is the fact that security calculations can cut in both directions. Nuclear weapons might deter outside threats, but leaders have to weigh these potential gains against the possibility that seeking nuclear weapons would make the country or regime less secure by triggering a regional arms race or a preventive attack by outside powers. Countries also have to consider the possibility that pursuing nuclear weapons will produce strains in strategic relationships with key allies and security patrons. If a state’s leaders conclude that their overall security would decrease by building a bomb, they are not likely to do so.36 Moreover, although security considerations are often central, they are rarely sufficient to motivate states to develop nuclear weapons. Scholars have noted the importance of other factors, most notably the perceived effects of nuclear weapons on a country’s relative status and influence.37 Empirically, the most highly motivated states seem to be those with leaders that simultaneously believe a nuclear deterrent is essential to counter an existential threat and view nuclear weapons as crucial for maintaining or enhancing their international status and influence. Leaders that see their country as naturally at odds with, and naturally equal or superior to, a threatening external foe appear to be especially prone to pursuing nuclear weapons.38 Thus, as Jacques Hymans argues, extreme levels of fear and pride often “combine to produce a very strong tendency to reach for the bomb.”39 Yet here too, leaders contemplating acquiring nuclear weapons have to balance the possible increase to their prestige and influence against the normative and reputational costs associated with violating the Nuclear Non-Proliferation Treaty (NPT). If a country’s leaders fully embrace the principles and norms embodied in the NPT, highly value positive diplomatic relations with Western countries and see membership in the “community of nations” as central to their national interests and identity, they are likely to worry that developing nuclear weapons would damage (rather than bolster) their reputation and influence, and thus they will be less likely to go for the bomb.40 In contrast, countries with regimes or ruling coalitions that embrace an ideology that rejects the Western dominated international order and prioritizes national self-reliance and autonomy from outside interference seem more inclined toward proliferation regardless of whether they are signatories to the NPT.41 Most countries appear to fall in the former category, whereas only a small number of “rogue” states fit the latter. According to one count, before the NPT went into effect, more than 40 percent of states with the economic resources to pursue nuclear programs with potential military applications did so, and very few renounced those programs. Since the inception of the nonproliferation norm in 1970, however, only 15 percent of economically capable states have started such programs, and nearly 70 percent of all states that had engaged in such activities gave them up.42 The prospect of being targeted with economic sanctions by powerful states is also likely to factor into the decisions of would-be proliferators. Although sanctions alone proved insufficient to dissuade Iraq, North Korea and (thus far) Iran from violating their nonproliferation obligations under the NPT, this does not necessarily indicate that sanctions are irrelevant. A potential proliferator’s vulnerability to sanctions must be considered. All else being equal, the more vulnerable a state’s economy is to external pressure, the less likely it is to pursue nuclear weapons. A comparison of states in East Asia and the Middle East that have pursued nuclear weapons with those that have not done so suggests that countries with economies that are highly integrated into the international economic system – especially those dominated by ruling coalitions that seek further integration – have historically been less inclined to pursue nuclear weapons than those with inward-oriented economies and ruling coalitions.43 A state’s vulnerability to sanctions matters, but so too does the leadership’s assessment regarding the probability that outside powers would actually be willing to impose sanctions. Some would-be proliferators can be easily sanctioned because their exclusion from international economic transactions creates few downsides for sanctioning states. In other instances, however, a state may be so vital to outside powers – economically or geopolitically – that it is unlikely to be sanctioned regardless of NPT violations. Technical and Bureaucratic Constraints In addition to motivation to pursue the bomb, a state must have the technical and bureaucratic wherewithal to do so. This capability is partly a function of wealth. Richer and more industrialized states can develop nuclear weapons more easily than poorer and less industrial ones can; although as Pakistan and North Korea demonstrate, cash-strapped states can sometimes succeed in developing nuclear weapons if they are willing to make enormous sacrifices.44 A country’s technical know-how and the sophistication of its civilian nuclear program also help determine the ease and speed with which it can potentially pursue the bomb. The existence of uranium deposits and related mining activity, civilian nuclear power plants, nuclear research reactors and laboratories and a large cadre of scientists and engineers trained in relevant areas of chemistry and nuclear physics may give a country some “latent” capability to eventually produce nuclear weapons. Mastery of the fuel-cycle – the ability to enrich uranium or produce, separate and reprocess plutonium – is particularly important because this is the essential pathway whereby states can indigenously produce the fissile material required to make a nuclear explosive device.45 States must also possess the bureaucratic capacity and managerial culture to successfully complete a nuclear weapons program. Hymans convincingly argues that many recent would-be proliferators have weak state institutions that permit, or even encourage, rulers to take a coercive, authoritarian management approach to their nuclear programs. This approach, in turn, politicizes and ultimately undermines nuclear projects by gutting the autonomy and professionalism of the very scientists, experts and organizations needed to successfully build the bomb.46 Alternative Sources of Nuclear Deterrence Historically, the availability of credible security guarantees by outside nuclear powers has provided a potential alternative means for acquiring a nuclear deterrent without many of the risks and costs associated with developing an indigenous nuclear weapons capability. As Bruno Tertrais argues, nearly all the states that developed nuclear weapons since 1949 either lacked a strong guarantee from a superpower (India, Pakistan and South Africa) or did not consider the superpower’s protection to be credible (China, France, Israel and North Korea). Many other countries known to have pursued nuclear weapons programs also lacked security guarantees (e.g., Argentina, Brazil, Egypt, Indonesia, Iraq, Libya, Switzerland and Yugoslavia) or thought they were unreliable at the time they embarked on their programs (e.g., Taiwan). In contrast, several potential proliferation candidates appear to have abstained from developing the bomb at least partly because of formal or informal extended deterrence guarantees from the United States (e.g., Australia, Germany, Japan, Norway, South Korea and Sweden).47 All told, a recent quantitative assessment by Bleek finds that security assurances have empirically significantly reduced proliferation proclivity among recipient countries.48 Therefore, if a country perceives that a security guarantee by the United States or another nuclear power is both available and credible, it is less likely to pursue nuclear weapons in reaction to a rival developing them. This option is likely to be particularly attractive to states that lack the indigenous capability to develop nuclear weapons, as well as states that are primarily motivated to acquire a nuclear deterrent by security factors (as opposed to status-related motivations) but are wary of the negative consequences of proliferation.

### 1nc modernization

#### No China mod

CEWCES 10-9-2012; Bond University Center for East-East Cultural and Economic Studies, “Nuclear complexity in the Third Nuclear Age” http://cewces.wordpress.com/2012/10/09/nuclear-complexity-in-the-third-nuclear-age/

So when you examine China’s nuclear forces, with a low number of nuclear warheads in comparison to the United States and Russia, and older delivery systems, the Chinese nuclear weapons capability and posture is not that threatening. This is reinforced by China’s nuclear posture, which remains minimum deterrence and no-first-use. The modernization described above will ensure that it remains a credible deterrent, as well as give China the potential to move from a basis of minimum deterrent / no first use, to a more robust nuclear posture in the future. The key question to consider is why would it choose to make such a change? A number of factors are emerging which could promote significant changes in both the size and role of China’s nuclear forces, and will demand greater attention by Western policy makers. Of key significance to China is ensuring the survivability and maintaining the credibility of their nuclear deterrent in the face of a range of looming challenges. Looking from the perspective from Beijing, China faces the United States, which although currently de-emphasizing the role of nuclear forces and seeking to significantly reduce the number of nuclear weapons in its arsenal under the Obama Administration, is also maintaining a commitment to sustaining its own credible nuclear deterrent for the foreseeable future. This means that the aging nuclear delivery systems, as well as infrastructure to sustain the US nuclear weapons complex, will need to be modernized sooner rather than later to avoid undermining the credibility of the US nuclear deterrent.

nuclear buildup.

#### Changes in US policy are irrelevant

Bruce M. Sugden 2008; defense analyst in the Washington, DC area. He does consulting for the Department of Defense and commercial clients on combating weapons of mass destruction, future global strike force structure alternatives, nuclear policy and strategy, and emerging deterrence requirements and technology issues. He earned master's degrees in international relations and public policy studies at the University of Chicago and served for six years in the U.S. Air Force as a missile launch officer; ASSESSING THE STRATEGIC HORIZON; Nonproliferation Review, Vol. 15, No. 3, November 2008

While U.S. nuclear policy is certainly a major consideration in Russian and Chinese nuclear strategic thought, there is mixed evidence regarding it as a strong causal factor across cases of nuclear proliferation over the past twenty years. First, Pakistan’s 1998 nuclear weapons tests were based heavily on its perception of India as a threat.14 Second, in 2004, the Central Intelligence Agency’s special advisor report on Iraq’s weapons of mass destruction (WMD) program assessed that ‘‘Iran was the pre-eminent motivator’’ underlying Iraq’s latent WMD program.15 Subordinate reasons for Iraq’s program were to balance against Israel and wield influence throughout the Arab world. Third, although the case of India shows some evidence that states might link their proliferation efforts to the connection between U.S. nuclear policy\*and the policies of other nuclear states recognized by the NPT\*and the status and international prestige of being a great power, some analysts disagree on the relative causal weight of factors behind India’s decision to develop nuclear weapons. For example, in the 1970s Paul Power showed that the leadership of India viewed the NPT as a discriminatory treaty that produced a monopoly of power and failed to prevent the growth of existing nuclear arsenals.16 Indian Prime Minister Morarji Desai said that India would sign the NPT only if the other nuclear weapon states destroyed their arsenals.17 In 1998, following India’s detonation of nuclear devices, T.V. Paul assigned primary causal weight to India’s perception of NPT-recognized nuclear states as a privileged class in international politics. Their unwillingness to recognize India as an equal exacerbated the perception.18 In 1999, Sumit Ganguly argued that three factors were behind India’s 1998 nuclear tests: scientific advances in India’s nuclear research and development program; ideological and domestic political influences that were constrained by national security considerations; and perceived security threats in the absence of security assurances from the NPT recognized nuclear states.19 Rodney Jones, however, disagrees with Ganguly’s analysis. Jones argues that India’s Bharatiya Janata Party (BJP), which directed the nuclear tests, sought to raise India’s global status through the tests to improve the BJP’s political popularity.20 Furthermore, nuclear reversals have occurred despite the largely static nature of U.S. nuclear policy at the time of the reversals. Several states\*Argentina, Brazil, and Egypt, for example\*tried to develop nuclear weapons programs but then gave up.

### 2nc

### WordPIC

1. Word pics are key to education and completely fair – even though there is a material reality, language is the only way we give and understand meaning of that reality – proves our education is more important

**Doty** 19**96**  (Roxanne Lynn Assistant Professor Of Political Science At Arizona State University,, Imperial Encounters, P. 5-6, BB)

This study begins with the premise that representation is an in­herent and important aspect of global political life and therefore a critical and legitimate area of inquiry. International relations are in­extricably bound up with discursive practices that put into circula­tion representations that are taken as "truth." The goal of analyz­ing these practices is not to reveal essential truths that have been obscured, but rather to examine *how* certain representations under­lie the production of knowledge and, identities and how these repre­sentations make various courses of action possible. As Said (1979: 21) notes, there is no such thing as a delivered presence, but there is *a re-presence,* or representation. Such an assertion does not deny the existence of the material world, but rather suggests that material objects and subjects are constituted as such within discourse. So, for example, when U.S. troops march into Grenada, this is certainly "real," though the march of troops across a piece of geographic space is in itself singularly uninteresting and socially irrelevant out­side of the representations that produce meaning. It is only when "American" is attached to the troops and "Grenada" to the geo­graphic space that meaning is created. What the physical behavior itself is, though, is still far from certain until discursive practices con­stitute it as an "invasion," a "show of force," a "training exercise," a "rescue," and so on. What is "really" going on in such a situation is inextricably linked to the discourse within which it is located. To at­tempt a neat separation between discursive and nondiscursive prac­tices, understanding the former as purely linguistic, assumes a series of dichotomies—thought/reality, appearance/essence, mind/matter, word/world, subjective/objective—that a critical genealogy calls into question. Against this, the perspective taken here affirms the mater­ial and'performative character of discourse.' In suggesting that global politics, and specifically the aspect that has to do with relations between the North and the South, is linked to representational practices I am suggesting that the issues and con­cerns that constitute these relations occur within a "reality" whose content has for the most part been defined by the representational practices of the “first world”. Focusing on discursive practices enables one to examine how the processes that produce "truth" and "knowledge" work and how they are articulated with the exercise of political, military, and economic power.

This is especially true of nuclear issues – proven by the CTBT debate

Lakoff, UC Berkeley linguistics professor, co-founder and Senior Fellow of the Rockridge Institute, 1999

(George, “Metaphorical Thought in Foreign Policy,” December, http://www.frameworksinstitute.org/products/metaphoricalthought.pdf)

As we shall see, this document is subtler than it appears on the surface. It appeals to a general conservative worldview and to certain deep metaphors that have long shaped U.S. foreign policy. And it is a response to specific policy initiatives by the Clinton administration that depend on very different general metaphors. The broader metaphor systems being supported and decried will become clearer as we proceed. President Clinton and Samuel Berger had attempted to frame the conservative rejection of the Comprehensive Nuclear Test ban Treaty as isolationism as compared to their internationalism. It was a crude and misleading attempt. The conservative opposition had a very different basis, which will become clear as we proceed. Kristol and Sagan took the opportunity to try some strategic reframing of their own: military superiority versus a foolish dependence on unenforceable international agreements; power as the only real security versus a soft-headed search for the common good. The metaphor systems that Kristol and Sagan argue for and against have everything to do with the Global Interdependence Initiative, but not in any simple-minded way. Both systems present problems for the GII, but different problems for very different reasons. The Kristol-Sagan piece, when seen through the lens of our metaphor systems, is a poignant reminder that the GII is not an easy project. It comes up against deep-seated understandings of the world that are there in the very synapses of our policy- makers, as well as a significant segment of the both the media and the public. Supporters of GII need to know *in detail* just where those problem areas lie. The Global Interdependence Initiative must not mistake its work as an exercise in public relations. It is not a matter of finding the right image or slogan. It requires serious rethinking of the very concepts in which foreign policy is framed. It requires a change in what is taught in graduate schools throughout the country. And it requires an approach to communication far deeper and more thorough than traditional approaches to public relations and the media. Such an approach will, of necessity, require those who support, criticize and promote foreign policies to think in new ways both about the rationale for the policies themselves and about how they explain their views to the public. This essay is a step in that new direction, one that will be followed by more intensive research in the coming months.

### Russia

#### Missile defense requires quick response

GAO 11

(July, Ballistic Missile Defense)

DOD concurred with our recommendation that DOD issue guidance that designates an entity to be responsible for integrating training across and among combatant commands and elements and provide that entity with the authority to develop an overall ballistic missile defense training strategy. The department further stated that Office of the Under Secretary of Defense for Personnel and Readiness and U.S. Strategic Command, with the assistance of the Joint Staff will provide the policy and required advocacy for the development of an integrated training strategy for ballistic missile defense. Although DOD concurred with this recommendation and state its intention to issue policy for developing an integrating training strategy, the department did not state when it intended to do so. Since defending againt ballistic missile attacks requires a quick response, it is important that DOD develops an integrating training strategy to connect seams where commands, tiers, or elements must work together. Therefore, we believe that DOD should issue this policy as soon as possible.

#### Speed of nuclear attack means no time to consult Congress

Torricelli 87

(Robert G., U.S. Senator, Rutgers Law, MA from Harvard, “The War Powers Resolution after the Libya Crisis”, 4-1-1987, Pace Law Review Volume 7, http://digitalcommons.pace.edu/plr/vol7/iss3/5)

Already, Congress' ability to exercise a direct influence on foreign and defense policy has been weakened by the march of technology. When faced with an imminent nuclear attack, a President would have no time to consult with Congress even if¶ he so desired. Congressional control of the budget is frequently¶ cited by the executive branch as evidence of Congress' influence¶ over military matters. Congressional power of the purse, however, influences long-term policy only, not decisions that have to be made quickly. The political reality of Washington is that Congress, for the¶ most part, prefers a President to take the lead on foreign policy. So long as it agrees with presidential policy, Congress is unlikely¶ to step in, even when it is not consulted. Congress tends to fence¶ in a President only when it disagrees with both the substance¶ and method of presidential conduct.

### Impact

#### Extinction

#### Ochs, has published articles in the Baltimore Sun, Baltimore Chronicle, Science magazine and the website: www.freefromterror.net, past president of the Aberdeen Proving Ground Superfund Citizens Coalition, member of the Depleted Uranium Task force of the Military Toxics Project and a member of the Chemical Weapons Working Group, 6-9-2K2 (Richard, “BIOLOGICAL WEAPONS MUST BE ABOLISHED IMMEDIATELY,” http://www.freefromterror.net/other\_articles/abolish.html)

Of all the weapons of mass destruction, the genetically engineered biological weapons, many without a known cure or vaccine, are an extreme danger to the continued survival of life on earth . Any perceived military value or deterrence pales in comparison to the great risk these weapons pose just sitting in vials in laboratories. While a "nuclear winter," resulting from a massive exchange of nuclear weapons, could also kill off most of life on earth and severely compromise the health of future generations, they are easier to control . Biological weapons, on the other hand , can get out of control very easily, as the recent anthrax attacks has demonstrated. There is no way to guarantee the security of these doomsday weapons because very tiny amounts can be stolen or accidentally released and then grow or be grown to horrendous proportions. The Black Death of the Middle Ages would be small in comparison to the potential damage bioweapons could cause. Abolition of chemical weapons is less of a priority because, while they can also kill millions of people outright, their persistence in the environment would be less than nuclear or biological agents or more localized. Hence, chemical weapons would have a lesser effect on future generations of innocent people and the natural environment. Like the Holocaust, once a localized chemical extermination is over, it is over. With nuclear and biological weapons, the killing will probably never end. Radioactive elements last tens of thousands of years and will keep causing cancers virtually forever .Potentially worse than that, bio-engineered agents by the hundreds with no known cure could wreck even greater calamity on the human race than could persistent radiation. AIDS and ebola viruses are just a small example of recently emerging plagues with no known cure or vaccine. Can we imagine hundreds of such plagues? HUMAN EXTINCTION IS NOW POSSIBLE. Ironically, the Bush administration has just changed the U.S. nuclear doctrine to allow nuclear retaliation against threats upon allies by conventional weapons. The past doctrine allowed such use only as a last resort when our nation's survival was at stake. Will the new policy also allow easier use of US bioweapons? How slippery is this slope? Against this tendency can be posed a rational alternative policy. To preclude possibilities of human extinction, "patriotism" needs to be redefined to make humanity's survival primary and absolute. Even if we lose our cherished freedom, our sovereignty, our government or our Constitution, where there is life, there is hope. What good is anything else if humanity is extinguished? This concept should be promoted to the center of national debate. For example, for sake of argument, suppose the ancient Israelites developed defensive bioweapons of mass destruction when they were enslaved by Egypt. Then suppose these weapons were released by design or accident and wiped everybody out? As bad as slavery is, extinction is worse. Our generation, our century, our epoch needs to take the long view. We truly hold in our hands the precious gift of all future life. Empires may come and go, but who are the honored custodians of life on earth? Temporal politicians? Corporate competitors? Strategic brinksmen? Military gamers? Inflated egos dripping with testosterone? How can any sane person believe that national sovereignty is more important than survival of the species? Now that extinction is possible, our slogan should be "Where there is life, there is hope. " No government, no economic system, no national pride, no religion, no political system can be placed above human survival. The egos of leaders must not blind us. The adrenaline and vengeance of a fight must not blind us. The game is over. If patriotism would extinguish humanity, then patriotism is the highest of all crimes.

Accidents impact

Buffalo News 00

(7/16)

Nonetheless, it does not follow that we should permanently give up the idea of defending against weapons of mass destruction. Rational governments will always be deterred from starting a nuclear war, but by definition, you can't deter accidents, unauthorized actions, miscalculations or madmen. And as long as defenses are banned, all states will be completely vulnerable to that kind of attack.

There is an obvious solution to this apparent dilemma: Defenses can be deployed only on a cooperative, negotiated, multilateral basis. Put differently, the paradox of defense in the nuclear age is that you can defend yourself only if your opponent agrees to let you do so.

NMD is key to devalues WMD and reduce missile proliferation

Kennedy ‘1

(Brian T.-, July 23, “America is Worth Defending”, Online; Jacob)

I look forward to seeing the final marks for the defense authorization bill, and in particular, the language associated with the European Site. There is so much at stake here. As I have said before, missile defense is not only our last line of defense for an incoming ballistic missile, it is also our first line of defense to counter missile proliferation because it devalues these weapons as offensive military assets, which may ultimately keep nuclear technology in general out of the hands of terrorist-friendly nations. It is my hope Ms. Tauscher both substantiates her claims to support this critical defense initiative, and helps to lead our colleagues during conference to support our allies in Poland and the Czech Republic.

### 1nr

#### Forces are non-nuclear – the aff restricts an activity, not armed forces

US Defense Report 3

(RESOURCES ALLOCATED TO MISSION AND SUPPORT ACTIVITIES, http://www.iwar.org.uk/military/resources/us-defense-report/2003/14\_Appendix\_Resources\_Allocated.pdf)

Section 113(l) of Title 10, United States Code, requires the Department of Defense¶ (DoD) to identify resources allocated to mission and support activities in each of the five¶ preceding fiscal years. In response to that requirement, Appendix C provides year-byyear comparisons of: ¶ • DoD funding (in constant dollars) allocated to forces and infrastructure (Table ¶ C-1).1¶ • DoD manpower allocated to forces and infrastructure (Tables C-2 through C-7). ¶ • DoD manpower in management headquarters and headquarters support activities, ¶ compared to active-duty military end-strength (Table C-8). ¶ Data for the reporting period (FY 1999-2003) have been normalized for definitional or ¶ accounting changes.¶ As shown in Table C-1, the Department is allocating about 43% of Total Obligational ¶ Authority (TOA) to infrastructure activities in FY 2003, down from about 44% in the¶ preceding year. Tables C-2 through C-8, which address DoD manpower, show continued¶ reductions in manpower for infrastructure activities. This is an important measure of the¶ Department’s progress in improving the efficiency of its support operations. The¶ efficiencies achieved result from initiatives in the Quadrennial Defense Review and¶ Defense Reform Initiatives, including savings from previous base realignment and¶ closure rounds, strategic and competitive sourcing initiatives, and privatization and¶ reengineering efforts. ¶ DEFINITIONS¶ In tracking annual resource allocations, this appendix uses mission and infrastructure ¶ definitions that support macro-level comparisons of DoD resources such as those¶ presented here. The definitions are based on the 2001 Quadrennial Defense Review, the ¶ Future Years Defense Program (FYDP), and a soon-to-be-published Institute for Defense ¶ Analyses publication, DoD Force and Infrastructure Categories: A FYDP-Based ¶ Conceptual Model of Department of Defense Programs and Resources, prepared for the¶ Office of the Secretary of Defense. The definitions are consistent with the GoldwaterNichols Department of Defense Reorganization Act of 1986 (P.L. 99-433). This Act¶ requires that combat units, and their organic support, be routinely assigned to the ¶ combatant commanders and that the military departments retain the activities that create¶ and sustain those forces. This feature of U.S. law provides the demarcation line between¶ forces (military units assigned to combatant commanders) and infrastructure (activities¶ retained by the military departments). In addition to more precisely distinguishing forces¶ from infrastructure, the force subcategories have been updated to reflect current¶ operational concepts. The infrastructure subcategories likewise have been updated and ¶ streamlined.¶ The sections that follow define the force and infrastructure categories addressed in this ¶ appendix. Each FYDP program element is assigned to one and only one force or ¶ infrastructure category.¶ FORCE CATEGORIES¶ • Expeditionary Forces. Operating forces designed primarily for nonnuclear ¶ operations outside the United States. Includes combat units (and their organic¶ support) such as divisions, tactical aircraft squadrons, and aircraft carriers. ¶ • Deterrence and Protection Forces. Operating forces designed primarily to deter ¶ or defeat direct attacks on the United States and its territories. Also includes¶ those agencies engaged in U.S. international policy activities under the direct ¶ supervision of the Office of the Secretary of Defense. ¶ • Other Forces. Includes most intelligence, space, and combat-related command, ¶ control, and communications programs, such as cryptologic activities, satellite ¶ communications, and airborne command posts.

#### Restrictions on war powers could include restrictions on any weapons system – nuclear weapons, land mine bans, cluster bombs, chemical weapons – it’s why we need a ‘human’ limit

**Lobel, 8** - Professor of Law, University of Pittsburgh Law School (Jules, “Conflicts Between the Commander in Chief and Congress: Concurrent Power over the Conduct of War” 392 OHIO STATE LAW JOURNAL [Vol. 69:391, <http://moritzlaw.osu.edu/students/groups/oslj/files/2012/04/69.3.lobel_.pdf>)

The third theory—based on the distinction between general rules and specific tactics—also has surface appeal, but is unworkable when applied to specific issues because the line between policy and tactic is too amorphous and hazy to be useful in real world situations. For example, how does one decide whether the use of waterboarding as a technique of interrogation is a policy or specific tactic? Even if it is arguably a specific tactic, Congress could certainly prohibit that tactic as antithetical to a policy prohibiting cruel and inhumane treatment. So too, President Bush’s surge strategy in Iraq could be viewed as a tactic to promote a more stable Iraq, or as a general policy which Congress should be able to limit through use of its funding power. Congress can limit tactical decisions to use particular weapons such as chemical weapons, nuclear weapons, or cluster bombs by forbidding the production or use of such weapons, or simply refusing to fund them.42 Congress could also, however, enact more limited and specific restrictions to prohibit the use of nuclear weapons or land mines in a particular conflict or even a particular theater of war. Indeed, most specific tactics could be permitted or prohibited by a rule. In short, the distinctions between strategies and tactics, rules and detailed instructions, or policies and tactics are simply labels which are virtually indistinguishable. Labeling an activity with one of these terms is largely a distinction without a difference. Accordingly, these labels are not helpful to the real problem of determining the respective powers of Congress and the President.43

#### There are 14 different types of general Mines (Landmines)

1. Anti-vehicle mines ¶ Blast mines ¶ Shape Charge Mines¶ Full Width Mines ¶ Side Attack Mines ¶ Wide Area Mines ¶ Anti-personal mines ¶ Fragmentation and Stake mines ¶ Directional Mines ¶ Bounding Mines ¶ Flame Mines ¶ Chemical Mines ¶ Anti-helicopter mines ¶ Nuclear mines

#### There are 523 Individual general Mines

1. AC NM AE T1 mine¶ ADWAT mine¶ AT-8 (Cuban mine)¶ ATM-72 mine¶ ATM-74 mine¶ ATM 75 mine¶ ATM 96 mine¶ BLU-91¶ C-3-A/B mine¶ Cardoen AT mine¶ CC 48 mine¶ CS 42/2 mine¶ CS 42/3 mine¶ DM-11 mine¶ Flachmine 17¶ FMK-3 mine¶ FMK-5 mine¶ Hawkins grenade¶ LPZ mine¶ M/47 mine¶ M1 mine¶ M1A1¶ M4 mine¶ M5 mine¶ M6 mine¶ M7 mine¶ M15 mine¶ M19 mine¶ M51 MACI mine¶ M52 MACI mine¶ M/71 mine¶ M75 mine¶ M/80 mine¶ M453 mine¶ M1935 mine¶ M1936 mine¶ MAT/5 mine¶ MAT/6 mine¶ MAT-62B mine¶ MAT-76 mine¶ MAT.84-F5 mine¶ MATS/1.4 mine¶ MATS/2 mine¶ MATS/2.6 mine¶ MGP-31 mine¶ MI AC PR mine¶ Mk 2 mine¶ Mk 3 mine¶ Mk 4 mine¶ Mk 5 mine¶ Mk 7 mine¶ MKT Mod 72 mine¶ MKTBT mine¶ Model 41-47 mine¶ Model 47 mine¶ Model 47-52 mine¶ Model 52 mine¶ Model 67 mine¶ Model 1948 mine¶ MP-APVL 83-F4 mine¶ MPP-B Wierzba mine¶ Na-Mi-Ba mine¶ No 6 mine¶ No 8 mine¶ NR 25 mine¶ NR 26 mine¶ NV-41 mine¶ P2 Mk2 mine¶ P3 Mk2 mine¶ Panssarimiina m/36¶ Panssarimiina m/39¶ Panssarimiina m/S-39¶ Panssarimiina m/S-40¶ Panssarimiina m/44¶ Pappmine¶ PDM-1 mine¶ PDM-1M mine¶ PDM-2 mine¶ PDM-2M mine¶ PDM-6 mine¶ Pignone mine P-1¶ Pignone mine P-2¶ PM-60 mine (K-1 mine)¶ PMZ-40 mine¶ PRB M3 mine¶ PRB-111 mine¶ PT-56 mine¶ PT Mi-Ba mine¶ PT Mi-Ba-II mine¶ PT Mi-Ba-III mine¶ PP Mi-D mine¶ PT Mi-K mine¶ PTM-80P mine¶ SACI mine¶ SB-81 mine¶ SBP-04 mine¶ SBP-07 mine¶ SH-55 mine¶ T-IV mine¶ T-AB-1 AT mine¶ TC/2.4 mine¶ TC/3.6 mine¶ TC/6 mine¶ Tellermine 29¶ Tellermine 35¶ Tellermine 42¶ Tellermine 43¶ TM-46 mine¶ TMM-1¶ TMA-1 mine¶ TMA-2 mine¶ TMA-3 mine¶ TMA-4 mine¶ TMA-5 mine¶ TMB-1 mine¶ TMB-2 mine¶ TMN-46 mine¶ TMSB mine¶ TM-35 mine¶ TM-38 mine¶ TM-41 mine¶ TM-44 mine¶ TM-46 mine¶ TM-57 mine¶ TM-62 mine¶ TM-65 mine¶ TMD-1 mine¶ TMD-2 mine¶ TMD-40 mine¶ TMD-44 mine¶ TMD-B mine¶ TMM-1 mine¶ Topfmine A¶ Topfmine B¶ Topfmine C¶ TQ-Mi mine¶ Type I bakelite anti-tank mine¶ Type 2 AT mine¶ Type II bakelite anti-tank mine¶ Type 3 mine¶ Type 9 wooden anti-tank mine¶ Type 63 AT mine¶ Type 72 metallic¶ Type 72 non-metallic¶ Type 93 mine¶ Type 96 mine¶ Type 99 mine¶ Volcano mine system¶ VS-1.6 mine¶ VS-2.2 mine¶ VS-3.6 mine¶ VS-AT4 mine¶ YaM-5 box mine¶ YM-II mine¶ YM-III mine¶ Adrushy mine¶ ARGES mine¶ AT2 mine¶ ATM 6 mine¶ ATM 7 mine¶ ATM 2000E¶ BAT/7 mine¶ FFV 016 mine¶ FFV 028 mine¶ HAK-1 mine¶ Hohl-Sprung mine 4672¶ HPD-1 mine¶ HPD-2 mine¶ HPD-3 mine¶ K441/442 mine¶ Kasia 100/170 mine¶ L14A1 mine¶ KB-PTM mine¶ KRIZNA-D mine¶ M21 mine¶ M-24 mine¶ MC-71 mine¶ MIACAH F1 mine¶ MI AC Disp F1 Minotaur mine¶ MIFF mine¶ Mine Anti-Tank Non-detectable 1A¶ Mine Anti-Tank Non-detectable 3A¶ MN-111 mine¶ MN-121 mine¶ MN-123 mine¶ MPB mine¶ MSM MK2 mine¶ MUSA mine¶ MUSPA mine¶ No 8 mine¶ Panzer stab 43¶ PARM 1 mine¶ PARM 2 mine¶ PD Mi-PK mine¶ PT Mi-D1 mine¶ PT Mi-P mine¶ PT Mi-U mine¶ PTM-3 mine¶ Pz Mi 88 mine¶ SATM mine¶ SB-MV/1 mine¶ SLAM mine¶ T-93 mine¶ TM-72 mine¶ TM-83 mine¶ TM-89 mine¶ TMK-2 mine¶ TMRP-7 mine¶ Type 84 mine¶ UKA-63 mine¶ VS-HCT mine¶ VS-HCT2 mine¶ VS-HCT4 mine¶ VS-SATM1 mine¶ Barmine¶ BAT/7 mine¶ FFV 028 (Stridsvagnsmina 6) mine¶ MSM MK2 mine¶ Riegel mine 43¶ Riegel mine 44¶ V-3 (N5) mine¶ VS-HCT mine¶ VS-HCT2 mine¶ VS-HCT4 mine¶ Addermine¶ Anti-Transport Mine¶ ARGES/MACPED mine¶ ATIS mine¶ ATM 6 mine¶ ATM 7 mine¶ AVC 100 mine¶ AVC 195 mine¶ FFV 018 mine¶ L14A1 mine¶ Kasia 100 mine¶ Kasia 2 x 100 mine¶ Kasia 170 mine¶ M24 mine¶ MON-100¶ MON-200¶ MPB mine¶ PARM 1 mine¶ PARM 2 mine¶ PD Mi-PK mine¶ PMN-150 mine¶ PMN-250 mine¶ TEMP 30 mine¶ TM-83 mine¶ M93 HORNET mine¶ AUPS fragmentation mine¶ BLU-92¶ HB 876 mine¶ M61 mine¶ M63 mine¶ M74 mine¶ M421 mine¶ MAP mine¶ MBV-78-A1 mine¶ MBV-78-A2 mine¶ MM 1 mine¶ Model 15 mine¶ Model 49 mine¶ MUSA mine¶ MUSPA mine¶ NO-MZ 2B mine¶ NR-413 mine¶ P-25 mine¶ P-40 APPLE mine¶ PM-43 mine¶ PM-68 mine¶ PMFC-1 mine¶ PMFH-1 mine¶ PMFH-2 mine,¶ PMR-1 mine¶ PMR-2 mine¶ PMR-2A mine¶ PMR-3 mine¶ PMR-4 mine¶ PMR-U mine¶ POMD-1 mine¶ POMZ¶ POMZ-2 mine¶ POMZ-2M mine¶ PPMP-2 mine¶ PP Mi-Sb mine¶ PP Mi-Sk mine,¶ SAPM mine¶ Stock Mine¶ Type 58 stake mine¶ Type 59 stake mine¶ Rangan 99¶ Jony 95¶ Ilavaluthi¶ C3A1 mine¶ C3A2 mine¶ APM-1 mine¶ APM-2 mine¶ APM-3 mine¶ APM 19 mine¶ APM 29 mine¶ AVC 100 mine¶ AVC 195 mine¶ Cardoen Directional AP mine¶ DFC 19 mine¶ DFC 29 mine¶ EC-2 mine¶ FFV 013 mine¶ FFV 013R mine¶ HAMDY mine¶ HM 1000 mine¶ HzSMI NO. 80 mine¶ K440 mine¶ KM18A1 mine¶ KN-10 mine¶ M18A1 Claymore¶ MAI-GA4 mine¶ MAPED F1 mine¶ MDH-10 mine¶ MDH-C40 mine¶ Mini MS 803 mine¶ MM-1 minimore¶ MM-2 mine¶ M-25 mine¶ MMN-1 mine¶ MMN-2 mine¶ Model 123 mine¶ MON-50¶ MON-90¶ MON-100¶ MON-200¶ MRUD¶ P5 series mine¶ PADMINE¶ PMN-150 mine¶ PMN-250 mine¶ Shrapnel No. 2 Mk 1 mine¶ Shrapnel No. 2 R1M1 mine¶ SM-70 mine¶ SMI 17/4 C Giant Shotgun mine¶ SMI 17/6 C mine¶ SMI 20/1 C mine¶ SMI 21/3 C mine¶ SMI 21/11 C mine¶ Type 58 stake mine¶ Type 59 stake mine¶ Type 66 mine¶ Type 67 mine¶ VS-DAFM 1¶ VS-DAFM 6¶ VS-DAFM 7¶ AP NM AET1 mine¶ APP M-57 AP blast mine¶ AUPS mine¶ BLU-43¶ Chinese Scatterable AP mine¶ Cuban AP blast mine¶ DM-39 mine¶ Egyptian AP plastic mine¶ EM-20 mine¶ FAMA AP mine¶ FMK-1 mine¶ GLD-112 mine¶ GYATA-64 mine¶ M14 mine¶ M 49 mine¶ M 61 mine¶ M 62 mine¶ M 63 mine¶ M/80 mine¶ M409 mine¶ M412 mine¶ M/966-B mine¶ MAI-75 mine¶ MAI-GR2 mine¶ MAPG mine¶ MAPP 78-F2 mine¶ MAPPG mine¶ MAPT 78-F2 mine¶ MAPI mine¶ MAPS/M/M41 mine¶ MAT-68 mine¶ MAUS mine¶ MAUS-1 mine¶ MD-82 mine¶ MGP-30 mine¶ MKKB mine¶ Mle 1951 AP blast mine¶ MI AP ID 51 mine¶ MI AP DV 59 mine¶ MM 2 mine¶ MN-79 mine¶ Model 15 mine¶ Model 1989 mine¶ MD-82 mine¶ No 4 mine¶ No 4 Italian AP mine¶ No 6 AP mine¶ No 7 Mk1 Dingbat mine¶ No 10 mine¶ NR 22C1 mine¶ NR-408 mine¶ P2 Mk2 AP blast mine¶ P4 Mk1 AP blast mine¶ P5 AP mine¶ PATVAG 69 mine¶ PFM-1¶ PM-79 mine¶ PMA-2 mine¶ PMA-3 mine¶ PMD-1 mine¶ PMD-6 mine¶ PMD-7 mine¶ PMK-40 mine¶ PMN mine¶ PMN-2 mine¶ PMN-3 mine¶ PMN-4 mine¶ PMP-71 mine¶ PP Mi-Ba mine¶ PP Mi-D mine¶ PP Mi-Na 1 mine¶ PRB-411 mine¶ PRB M35 mine¶ PPM-2 mine¶ R mine¶ Ranger AP mine¶ S-Mine 35¶ SAPEM mine¶ SB-33 mine¶ Schu-mine 42¶ SM-65 mine¶ T/78 mine¶ T/79 mine¶ T-AB 1 AP mine¶ Tret-Mine 59¶ TS-50 mine¶ Type 58 blast mine¶ Type 63 AP mine¶ Type 67 AP mine¶ Type 72 AP mine¶ Type 93 mine¶ Type 96 mine¶ Type 99 mine¶ VAR/40 mine¶ VAR/100 mine¶ VAR/100/SP mine¶ VS-50 mine¶ VS-MK2 mine¶ VS-MK2-EL mine¶ XM22¶ XM27¶ XM40E5¶ XM41¶ XM41E1¶ XM44¶ XM45E1¶ XM65¶ YM-1 mine¶ YM-1B mine¶ Area Denial Artillery Munition¶ AUS 50/5 mine¶ BM/85 mine¶ Chinese portable bounding AP mine¶ Egyptian bounding AP mines¶ DM-31 mine¶ M2 mine¶ M16 mine¶ M26 mine¶ M/66 mine¶ M86 Pursuit Deterrent Munition¶ M432 mine¶ M/966 mine¶ Mle 1939 mine¶ Mle 1951 mine¶ Mle 1955 mine¶ No 12 mine¶ NR-23C2 mine¶ NR-442 mine¶ S-mine (the "Bouncing Betty")¶ Valmara 59¶ Valmara 69¶ VS-APFM1 mine¶ VS-JAP mine¶ Type 69 mine¶ OZM-3 mine¶ OZM-4 mine¶ OZM-72 mine¶ OZM-160 mine¶ P3 mine¶ P7 mine¶ P-40 mine¶ PP-Mi-Sr mine¶ PRB M966 mine¶ PROM-1 mine¶ PROM-KD mine¶ PSM-1 mine¶ OZM-3¶ OZM-4¶ OZM-72¶ VS-SAPFM3 mine¶ Abwehrflammenwerfer 42¶ Flame fougasse¶ X-200 mine¶ XM-54 mine¶ Livens Projector see note[1]¶ KhF-1 bounding gas mine¶ KhF-2 bounding gas mine¶ M1 chemical mine¶ M23 chemical mine¶ Spruh-Buchse 37¶ Yperite mine¶ 4AHM-100 mine¶ AHM-200 mine¶ AHM-200-1 mine¶ AHM-200-2 mine¶ Anti Transport Mine (Bulgaria)¶ Helkir mine¶ PMN-150 mine¶ PMN-250 mine¶ TEMP 20¶ Blue Peacock¶ Medium Atomic Demolition Munition¶ Special Atomic Demolition Munition

### AT W/M Decision Makers Armed forces

#### “into hostilities” checks – the decision makers themselves never make it into the area of hostilities means they still don’t meet

#### We have definitial support - Into means entry

Meriam Webster 13, http://www.merriam-webster.com/dictionary/into

Full Definition of INTO

1—used as a function word to indicate entry, introduction, insertion, superposition, or inclusion <came into the house> <enter into an alliance>

#### Armed Forces is only persons involved in combat

IRCC 13

“Rule 4. Definition of Armed Forces” http://www.icrc.org/customary-ihl/eng/docs/v1\_cha\_chapter1\_rule4

Rule 4. The armed forces of a party to the conflict consist of all organized armed forces, groups and units which are under a command responsible to that party for the conduct of its subordinates. Summary State practice establishes this rule as a norm of customary international law applicable in international armed conflicts. For purposes of the principle of distinction, it may also apply to State armed forces in non-international armed conflicts.[1] International armed conflicts This rule is set forth in Article 43(1) of Additional Protocol I.[2] Many military manuals specify that the armed forces of a party to the conflict consist of all organized armed groups which are under a command responsible to that party for the conduct of its subordinates.[3] This definition is supported by official statements and reported practice.[4] Practice includes that of States not, or not at the time, party to Additional Protocol I.[5] In essence, this definition of armed forces covers all persons who fight on behalf of a party to a conflict and who subordinate themselves to its command. As a result, a combatant is any person who, under responsible command, engages in hostile acts in an armed conflict on behalf of a party to the conflict. The conditions imposed on armed forces vest in the group as such. The members of such armed forces are liable to attack.

#### Only active duty personnel

Clem 95 – PhD in Foreign Affairs @ UVA

(Andrew, http://www.andrewclem.com/War/Military\_forces\_1995.html)

"Armed forces" include only active duty personnel; "Divisions" are the equivalent number of standard-size units, about 12,000 personnel each.

#### Your C/I author goes neg - 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.

### AT C/I USAF

#### 1. This evidence isn’t the context of introducing armed forces into hostilities – that’s a key distinction in the literature and policy distinctions of the US. Proves our predictability claims

#### Their interp flows neg –

#### USAF = regular components of DOD

Farlex 13 The Free Dictionary By Farlex, “United States Armed Forces,” Accessed 7-23, http://www.thefreedictionary.com/United+States+Armed+Forces

Used to denote collectively only the regular components of the Army, Navy, Air Force, Marine Corps, and Coast Guard. See also Armed Forces of the United States.

#### US Code excludes weapons from the air force

US Code No Date – "10 USC § 8062 - Policy; composition; aircraft authorization" www.law.cornell.edu/uscode/text/10/8062

(a) It is the intent of Congress to provide an Air Force that is capable, in conjunction with the other armed forces, of—¶ (1) preserving the peace and security, and providing for the defense, of the United States, the Commonwealths and possessions, and any areas occupied by the United States;¶ (2) supporting the national policies;¶ (3) implementing the national objectives; and¶ (4) overcoming any nations responsible for aggressive acts that imperil the peace and security of the United States.¶ (b) There is a United States Air Force within the Department of the Air Force.¶ (c) In general, the Air Force includes aviation forces both combat and service not otherwise assigned. It shall be organized, trained, and equipped primarily for prompt and sustained offensive and defensive air operations. It is responsible for the preparation of the air forces necessary for the effective prosecution of war except as otherwise assigned and, in accordance with integrated joint mobilization plans, for the expansion of the peacetime components of the Air Force to meet the needs of war.¶ (d) The Air Force consists of—¶ (1) **the Regular Air Force, the Air National Guard of the United States, the Air National Guard while in the service of the United States, and the Air Force Reserve;**¶ (2) all persons appointed or enlisted in, or conscripted into, the Air Force without component; and¶ (3) all Air Force units and other Air Force organizations, with their installations and supporting and auxiliary combat, training, administrative, and logistic elements; and all members of the Air Force, including those not assigned to units; necessary to form the basis for a complete and immediate mobilization for the national defense in the event of a national emergency.¶ (e) Subject to subsection (f) of this section, chapter 831 of this title, and the strength authorized by law pursuant to section 115 of this title, the authorized strength of the Air Force is 70 Regular Air Force groups and such separate Regular Air Force squadrons, reserve groups, and supporting and auxiliary regular and reserve units as required.¶ (f) There are authorized for the Air Force 24,000 serviceable aircraft or 225,000 airframe tons of serviceable aircraft, whichever the Secretary of the Air Force considers appropriate to carry out this section. **This subsection does not apply to guided missiles.**¶ (g)¶ (1) Effective October 1, 2011, the Secretary of the Air Force shall maintain a total aircraft inventory of strategic airlift aircraft of not less than 301 aircraft. Effective on the date that is 45 days after the date on which the report under section 141(c)(3) of the National Defense Authorization Act for Fiscal Year 2013 is submitted to the congressional defense committees, the Secretary shall maintain a total aircraft inventory of strategic airlift aircraft of not less than 275 aircraft.¶ (2) In this subsection:¶ (A) The term “strategic airlift aircraft” means an aircraft—¶ (i) that has a cargo capacity of at least 150,000 pounds; and¶ (ii) that is capable of transporting outsized cargo an unrefueled range of at least 2,400 nautical miles.¶ (B) The term “outsized cargo” means any single item of equipment that exceeds 1,090 inches in length, 117 inches in width, or 105 inches in height.¶ (h)¶ (1) Beginning October 1, 2011, the Secretary of the Air Force may not retire more than six B–1 aircraft.¶ (2) The Secretary shall maintain in a common capability configuration not less than 36 B–1 aircraft as combat-coded aircraft.¶ (3) In this subsection, the term “combat-coded aircraft” means aircraft assigned to meet the primary.

### AT Semantics

#### Broad interpretations cause unmanageable research burdens

Taylor III, now a JD from William and Mary, 2005

(Jarred, “Searching for a More Perfect Union,” https://docs.google.com/document/d/1ypiOXjRVPWzNxDsFVJ0S1n-QfIGtXzp7Y59meEwd-bE/edit?hl=en\_US)

It would take even the most seasoned scholar years of research and hundreds of pages to adequately analyze the development of any presidential power over the course of American history; war power is certainly no exception. Every President since George Washington has interpreted the martial prerogatives of his office in different ways, and most have set some sort of precedent for succeeding officeholders. Nevertheless, some of the major changes in executive military power bear highlighting.

### reasonability

#### It’s arbitrary and undermines research

Evan Resnick 1, assistant professor of political science – Yeshiva University, “Defining Engagement,” Journal of International Affairs, Vol. 54, Iss. 2

In matters of national security, establishing a clear definition of terms is a precondition for effective policymaking. Decisionmakers who invoke critical terms in an erratic, ad hoc fashion risk alienating their constituencies. They also risk exacerbating misperceptions and hostility among those the policies target. Scholars who commit the same error undercut their ability to conduct valuable empirical research. Hence, if scholars and policymakers fail rigorously to define "engagement," they undermine the ability to build an effective foreign policy.