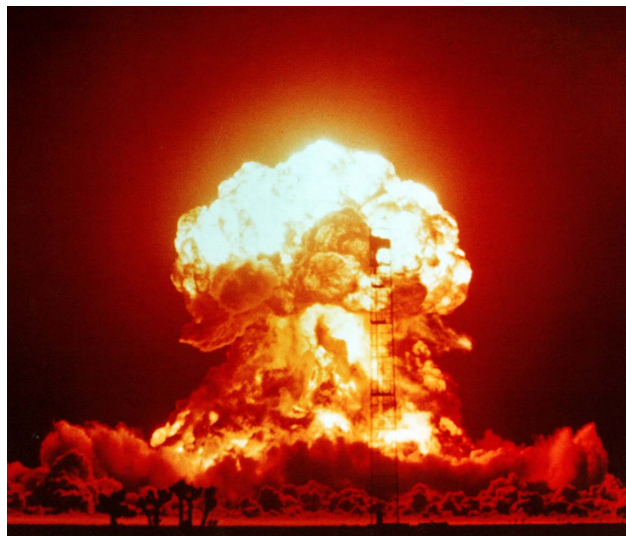


# November/December 2020 Public Forum Evidence Packet

**Resolved: The United States should adopt a  
declaratory nuclear policy of no first use.**



Produced by the Bluegrass Debate Coalition at the  
University of Kentucky



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## Background Information

The information in this section is designed to provide information that is useful inside and outside of the debate round to ground further discussion. This section contains full articles that provide factual information about no-first-use (NFU) policies, as well as an overview of common arguments for and against NFU. Students may want to read the information in this section completely before moving on to ensure they understand the topic.

### **No-First-Use Policy Explained**

Union of Concerned Scientists is a US nonprofit made up of hundreds of scientists who advocate for evidence-based public policies. May 2020. UCS is 05/07/2020. "No-First-Use Policy Explained." Union of Concerned Scientists. Available online [here](#).

A no-first-use nuclear policy means that the United States would commit to never being the first nation to use nuclear weapons in any conflict, a change from its current policy. Under current policy, the United States will not use nuclear weapons against the vast majority of the world's countries in any circumstances. Longstanding US policy, re-affirmed in the Trump administration's 2018 [Nuclear Posture Review \(NPR\)](#), says that the United States "will not use or threaten to use nuclear weapons against non-nuclear weapons states that are party to the NPT [Nuclear Nonproliferation Treaty] and in compliance with their nuclear nonproliferation obligations"; this promise covers more than 180 countries (OSD 2018). This policy is known as a "negative security assurance."

However, China, Russia, and North Korea do not fall under the US negative security assurance. China and Russia are nuclear weapon states under the NPT, and North Korea withdrew from the treaty in 2003 and conducted its first nuclear test in 2006. This means that they could be targets for US nuclear weapons, including the United States launching weapons at them first.

One noteworthy thing about today's landscape is that the Trump administration's NPR has significantly expanded the definition of "extreme." Both the Obama and Trump administration NPRs state that the United States "would only consider the use of nuclear weapons in extreme circumstances to defend the vital interests of the United States or its allies and partners." However, the Obama version stated that use would be limited to "a narrow range of contingencies" and emphasized that the goal was to continue to "reduce the role of nuclear weapons in deterring non-nuclear attacks, with the objective of making deterrence of nuclear attack on the United States or our allies and partners the sole purpose of US nuclear weapons." The Trump NPR broadens the definition of "extreme circumstances," saying these "could include significant non-nuclear attacks. Significant non-nuclear attacks include, but are not limited to, attacks on the U.S., allies, or partner civilian population or infrastructure, and attacks on U.S. or allied nuclear forces, their command and control, or warning and attack assessment." This could potentially include cyberattacks as a valid reason for nuclear use under US policy.

A commitment to never using nuclear weapons first

A no-first-use nuclear policy means that the United States would commit to never use nuclear weapons first, either as a first strike (that is, an unprompted surprise attack), as an escalatory move in a conventional conflict, or in response to a non-nuclear attack.

The only situation in which the US would use nuclear weapons would be in response to a confirmed nuclear attack on itself or its allies.

What's the difference between a "no-first-use" declaration and a "sole purpose" declaration?

No-first-use and sole purpose are essentially the same. In a sole-purpose declaration, a country states that the only purpose of its nuclear weapons is to deter or respond to a nuclear attack by another country. Such a pledge would rule out using nuclear weapons first.

How would adopting NFU make the US safer?

There are many reasons why retaining the option of using nuclear weapons first is dangerous for the United States. If the president decided to cross the threshold and use nuclear weapons first against a nuclear-armed adversary (Russia, China, or North Korea), those countries would almost certainly retaliate with nuclear weapons, either directly against the US or against its allies. Maintaining a first-use option therefore increases the chance of a catastrophic attack against the US public.

In addition, if a nuclear-armed adversary is concerned that the United States might use nuclear weapons first in a crisis, that could increase the adversary's incentive to go nuclear first because of "use-it-or-lose-it" thinking—that is, the fear that if the US attacked first it might wipe out the adversary's nuclear arsenal. This kind of thinking creates pressure to use these weapons before they are lost.

Taking nuclear use off the table except as a retaliatory measure could reduce this pressure, which would help to slow the timeline in a crisis, allowing decision-makers more time to explore other solutions rather than quickly escalating the conflict.

An NFU policy would also reduce concerns about the [US president's sole authority to order a nuclear attack](#), since these concerns have focused primarily on a possible order to initiate the use of nuclear weapons in a crisis. An NFU policy would remove the option for the president to order the use of nuclear weapons except in retaliation for a nuclear attack.

It's also worth keeping in mind that the United States already has a no-first-use policy that applies to the vast majority of the world's countries. The rationale for that pledge is to reassure countries without nuclear weapons that they do not need nuclear weapons to deter a nuclear attack against them. This benefits US security by minimizing the number of nuclear-armed potential adversaries it has to deal with.

The United States apparently thinks that most of the world's countries believe this pledge, and thinks it is safe to make such a NFU pledge with respect to these countries.

Do any other countries have no-first-use policies?

China has had an unconditional no-first-use policy since it first developed nuclear weapons in 1964, and has repeatedly reaffirmed that position, most recently in a Ministry of Defense white paper on national defense published in July 2019. Although some critics say this policy has little value because it is merely declarative and could change, China fields its nuclear forces in a way that is consistent with an NFU policy. Unlike the US and Russia, China stores its nuclear warheads separately from its missiles. It would take time to mate the warheads to missiles before China could launch an attack, making it unlikely that a Chinese nuclear attack would be a surprise.

Russia had a no-first-use policy from 1982 until 1993, when it changed its policy out of fear that its weakened conventional forces could no longer deter the United States without the threat of use of nuclear weapons. In 2003, India adopted a conditional no-first-use policy that reserves the right to use nuclear weapons if Indian forces are attacked with biological or chemical weapons.

### **'No First Use' and Nuclear Weapons**

Panda 2018. 07/17/2018. Ankit Panda is a graduate of Princeton School Public and International Affairs at Princeton University. He is also a leading researcher and writer on issues of international security. His work has been published in numerous respected national and international newspapers and academic journals. "No First Use' and Nuclear Weapons." Ankit Panda. The Council on Foreign Relations. Available online [here](#).

Most states with nuclear weapons maintain policies that would permit their first use in a conflict. Pledges to only use these weapons in retaliation for a nuclear attack—or a no-first-use (NFU) policy—are rare. Where these pledges have been made by nuclear states, their adversaries generally consider them not credible.

Strategic planners for nuclear weapons powers see the credible threat of the first use of nuclear weapons as a powerful deterrent against a range of significant nonnuclear threats, including major conventional, chemical, and biological attacks, as well as cyberattacks. Even states with significant conventional military forces, such as the United States, consider it necessary to retain nuclear first use as an option. The 2018 Nuclear Posture Review, under the administration of President Donald J. Trump, retains the option of nuclear first use.

A so-called NFU pledge, first publicly made by China in 1964, refers to any authoritative statement by a nuclear weapon state to never be the first to use these weapons in a conflict, reserving them strictly to retaliate in the aftermath of a nuclear attack against its territory or military personnel. These pledges are a component of nuclear declaratory policies. As such, there can be no diplomatic arrangement to verify or enforce a declaratory NFU pledge, and such pledges alone do not affect capabilities. States with such pledges would be technically able to still use nuclear weapons first in a conflict, and their adversaries have generally not trusted NFU assurances. Today, China is the only nuclear weapon state to maintain an unconditional NFU pledge.

During the Cold War and even today, the credible threat of the United States using its nuclear weapons first against an adversary has been an important component of reassuring allies. At the height of the Cold War, the threat of U.S. tactical nuclear use was conceived of as a critical bulwark against a conventional Soviet offensive through the Fulda Gap, a strategically significant lowland corridor in Germany that would allow Warsaw Pact forces to enter Western Europe. A nuclear first-use policy was thought to be a cornerstone of the defensive posture of the North Atlantic Treaty Organization (NATO), given the large number of bases of Warsaw Pact conventional military forces. Accordingly, NATO has always opposed a U.S. NFU declaration and [has never ruled out U.S. first use](#) under its "flexible response" posture since 1967. Today, U.S. allies in East Asia and Europe alike rely on credible commitments from the United States to use nuclear weapons first to deter major nonnuclear threats against them. The United States has considered but has never declared an NFU policy.

The United States [has considered](#) but has never declared an NFU policy and remains the only country to have ever used nuclear weapons in war—twice against Japan, in 1945. The Trump administration's 2018 Nuclear Posture Review expands the range of significant nonnuclear strategic scenarios in which the United States may contemplate nuclear weapons use. Notably,

it does not rule out the first use of nuclear weapons in response to cyberattacks. The 2010 Nuclear Posture Review, under the administration of President Barack Obama, reiterated an assurance in place since 1978 that the United States would not use nuclear weapons against compliant members of the Nuclear Nonproliferation Treaty (NPT). The Obama administration still maintained the option to use nuclear weapons first while stating that the role of these weapons to deter and respond to nonnuclear attacks had declined and that it would continue to reduce that role. It additionally emphasized that the “fundamental” role of U.S. nuclear weapons was to deter nuclear use against the United States and its allies. In 2002, during the administration of President George W. Bush, the classified [Nuclear Posture Review emphasized](#) the role of U.S. nuclear weapons in deterring nonnuclear threats, including weapons of mass destruction (WMD) and large conventional military forces, ostensibly through nuclear first use.

Though the 2010 Nuclear Posture Review did not include an NFU pledge, [the Obama administration considered](#) the idea during its second term. It ultimately left U.S. nuclear declaratory policy unchanged from its 2010 iteration, which stated that the United States reserved the right to use nuclear weapons to deter nonnuclear attacks while strengthening conventional capabilities to gradually reduce the role of nuclear weapons [to that of solely deterring nuclear attacks](#). Nevertheless, the Obama administration’s final year in office saw animated debate among proponents and opponents of an NFU declaration.

*Arguments in favor of a U.S. NFU pledge.* Proponents of a U.S. NFU declaration [have argued](#) that not only does the United States already maintain a de facto NFU policy but that U.S. superiority in conventional weapons is sufficient to deter significant nuclear, biological, chemical, and conventional threats. Additionally, as Kingston Reif of the Arms Control Association [has argued](#), “a clear U.S. no-first-use policy would reduce the risk of Russian or Chinese nuclear miscalculation during a crisis by alleviating concerns about a devastating U.S. nuclear first-strike.” In nuclear strategy, a first strike refers to a nuclear attack that seeks to disarm a nuclear-armed enemy before it can employ its weapons.

Other proponents pointed to an NFU policy declaration being [a necessary step](#) on the road to global nuclear disarmament, an aspirational goal of the Obama administration and a requirement for all recognized nuclear weapon states under Article VI of the NPT. [Proponents also argue](#) that U.S. resistance to an NFU declaration has harmed U.S. nonproliferation efforts.

*Arguments against a U.S. NFU pledge.* [Critics, meanwhile, have suggested](#) that U.S. allies in East Asia and Europe alike would not accept a unilateral U.S. NFU declaration, because it could encourage adversaries to attack with conventional weapons or to use chemical, biological, or cyber weapons. Russian conventional military advantages over U.S. allies in Europe have amplified these concerns. Critics argue that such a declaration could undercut allied commitments and encourage U.S. allies to develop their own nuclear weapons.

Within the Obama administration in 2016, Secretary of State John Kerry, Secretary of Defense Ash Carter, and Secretary of Energy Ernest Moniz [opposed an NFU declaration](#), primarily along these lines. These officials shared the view of NFU skeptics that a U.S. declaration would embolden adversaries, weaken allied commitments, and invite brinkmanship.

Since the Trump administration’s inauguration, the issue of presidential launch authorization has been of interest to lawmakers, precipitated by the president’s [calls to expand the U.S. arsenal](#) and threats against North Korea. In 2017, for the first time in forty-one years, the Senate Foreign Relations Committee [held a hearing](#) on the president’s ability to use nuclear weapons.

Also in 2017, Representative Ted W. Lieu of California and Senator Edward J. Markey of Massachusetts, both Democrats, [introduced bills](#) to restrict the first use of nuclear weapons by the president without a congressional declaration of war, but some experts say this would not have meaningful effect on Trump's ability to use nuclear weapons first.

Today, eight states acknowledge that nuclear weapons play a role in their national defense policies. Each of these states—China, France, India, North Korea, Pakistan, Russia, the United Kingdom, and the United States—has conveyed through official statements and documents a certain declaratory nuclear policy, detailing the conditions under which they might use these weapons. Another state, Israel, has not publicly acknowledged that it possesses nuclear weapons but is widely considered a nuclear state.

*Russia.* In 1993, Russia released a military doctrine that formally abandoned a 1982 pledge by Soviet leader Leonid Brezhnev not to use nuclear weapons first in a conflict. This pledge was never seen as credible by NATO leaders in the final years of the Cold War. A French diplomat, writing in 1999, [observed](#) [PDF] that even after Brezhnev's declaration, "military records of the Warsaw Pact that fell into German hands demonstrated beyond doubt that Russian operational plans called for the use of nuclear and chemical weapons in Germany at the onset of hostilities, even if NATO forces were using only conventional weapons." The 1993 military doctrine said that the country's nuclear weapons would never be used against nonnuclear states that were members of the NPT, except those that were allied with a nuclear state. Today, [Russian's military doctrine says](#) [PDF] the country will use nuclear weapons against attacks by conventional forces that represent an existential threat to the country or in retaliation for a nuclear or WMD attack.

*China.* Under stated Chinese posture, the country would expect to first absorb a nuclear attack before using its own nuclear forces to retaliate. While this has held constant since China's first nuclear test, [there is a debate today](#) in the country over the continuing advisability of an NFU posture. For decades, China sought to make its NFU pledge appear credible by separating its ballistic missile and warhead units; under these circumstances, China's intention to use nuclear weapons before first suffering a nuclear attack would ostensibly be easily detectable. So far, there have been no public caveats to China's NFU policy, but some U.S. and Indian strategists doubt the credibility of China's pledge. China has been able to maintain its NFU pledge because it has invested so heavily in conventional military modernization, making it unlikely that it would consider nuclear escalation in a conventional war. China has publicly called on nuclear weapon states to create and join a multilateral NFU treaty—[what it has called](#) [PDF] a Treaty on Mutual No-First-Use of Nuclear Weapons.

*UK.* The country [maintains an ambiguous nuclear posture](#) that does "not rule in or out the first use of nuclear weapons," according to the UK Ministry of Defense's 2010–2015 policy paper on the country's nuclear deterrent. In 1978 and 1995, the UK [reiterated a commitment](#) to not use nuclear weapons against nonnuclear states in the NPT.

*France.* France has maintained a first-use nuclear posture since it first developed and tested nuclear weapons during the Cold War. France's posture [emerged from its Cold War-era fears](#) of abandonment by the United States, which led to the country's withdrawal from NATO in 1966 to pursue an independent nuclear capability, giving France the sovereign ability to determine how and when it would use its nuclear weapons. France pioneered the concept of a prestrategic strike for a conventional invasion, threatening limited nuclear first use as a way to signal that it was contemplating escalation to the strategic nuclear level. [France rejoined NATO in 2009](#) but kept its nuclear forces outside of NATO's defense coordination mechanisms. French

forces today have inherited that legacy of independence and maintain a first-use posture to deter any type of attack on or invasion of France.

*India.* India maintains a declared NFU posture, with exceptions for chemical and biological weapons attacks. In its 1999 draft nuclear doctrine, [India announced that](#) it “will not be the first to initiate a nuclear strike, but will respond with punitive retaliation should deterrence fail.” The public summary of India’s final nuclear doctrine, [released in 2003](#), says that “in the event of a major attack against India, or Indian forces anywhere, by biological or chemical weapons, India will retain the option of retaliating with nuclear weapons.” Indian public statements on nuclear weapons continue to emphasize the NFU policy, without acknowledging the exceptions carved out explicitly in the official doctrine.

*Pakistan.* Pakistan [has not ruled out nuclear first use](#) to deter what it sees as an overwhelming Indian quantitative advantage in conventional forces. Islamabad has left the exact threshold for its nuclear use ambiguous. Pakistani officials and strategists have been consistent in their support of a first-use posture, with the exception of former President Asif Ali Zardari, [who voiced support](#) for an NFU posture early in his term, in 2008. Today, there is no serious push in Pakistan to reconsider the country’s first-use posture.

*North Korea.* North Korea [has not ruled out nuclear first use](#) to deter a preemptive strike or invasion by the United States and its allies. If the country were to detect an imminent U.S. or allied attack, it would use nuclear weapons on military installations in East Asia and in Guam. North Korea’s intercontinental-range ballistic missiles would not be used first but would deter retaliatory nuclear use or an invasion by the United States against its territory. The exception to this might be a scenario in which North Korea fears a first strike by the United States to eliminate the country’s leadership.

*Israel.* Israel has neither confirmed nor denied its possession of nuclear weapons but is thought to have developed a limited arsenal more than fifty years ago, effectively becoming the world’s sixth nuclear weapon state. In line with this [policy of nuclear opacity](#), Israel has made no authoritative declarations on how it would use nuclear weapons. In the late 1960s, Prime Minister Golda Meir and President Richard Nixon came to an understanding, [with Meir offering assurances](#) that Israel would “not be the first to introduce nuclear weapons to the Middle East” but that it would also “not be the second to introduce this weapon.”

## Evidence to Support Pro Arguments

This section provides evidence that can be used to make arguments for the pro side of the resolution. The pro is supporting US adoption of an NFU policy. This section also contains evidence that can be used to respond to common con arguments, arguments against the US adopting an NFU policy. The following pieces of evidence are 'cut' from larger articles and pieces of research. The citation information below the title of each piece of evidence will allow you to access the original source material. The most relevant information is underlined.

### **NFU is critical to defusing tensions between the US and Russia**

Kühn et al. 2018. Ulrich Kühn is a Senior Research Associate at the Vienna Center for Disarmament and Non-Proliferation (VCDNP) and a Nonresident Scholar with the Nuclear Policy Program, Carnegie Endowment for International Peace; Tatiana Anichkina is a research fellow at the Center for International Security at the Primakov National Research Institute of World Economy and International Relations of the Russian Academy of Sciences; Anna Péczeli is a Stanton nuclear security junior faculty fellow at Stanford University's Center for International Security and Cooperation; Nickolas Roth is a research associate at the Belfer Center's Project on Managing the Atom; Anastasia Malygina is an associate professor at the School of International Relations at St. Petersburg State University, teaching strategic and arms control studies; Sven-Eric Fikenscher currently serves as an expert rapporteur with the Global Relations Forum's International Task Force on the Future of the Nuclear Deal with Iran; Jenny Nielsen was a senior research associate at the Vienna Center for Disarmament and Non-Proliferation when she co-authored the article in this volume. 10/2018. *The Crisis of Nuclear Disarmament and Arms Control: Diagnosis and Future Concepts – Proceedings of the N.E.X.T. Generation*. ISBN: 978-3-86928-167-4.

Together with the unrestricted buildup of US ballistic missile defense systems, conventional prompt global strike could lead to a dangerously destabilizing imbalance between the United States and Russia. One of the major military concerns of Moscow is the US potential in long-range high-precision conventional weapons, such as sea-launched or air-launched cruise missiles. From the Russian perspective, the United States' widespread deployment of Tomahawk sea-launched cruise missiles poses the biggest threat. (Russian experts and politicians often refer to a disarming strike by long-range cruise missiles as the greatest potential threat to the Russian strategic nuclear forces [Dvorkin 2016B].) Meanwhile, the United States is primarily concerned with the growing number of the Russian versions of this technology, known as SS-N-30A SLCMs, or Kalibr. (Office of Naval Intelligence 2015.) Even though in the short run, long-range conventional systems cannot seriously undermine strategic stability, their role will inevitably become more prominent if Washington and Moscow continue to reduce their strategic arsenals. Under such circumstances, these weapons systems might complicate any potential New START follow-on negotiations by blurring the lines between strategic nuclear and non-nuclear deterrence. At the same time, no arms limitations or confidence-building mechanism for these weapons is in place yet. Future measures advancing nuclear arms control Given all these unpleasant facts, perhaps now more than ever since Cold War's end, urgent action is needed to avoid a dangerous new nuclear arms race and to reduce the risk of inadvertent or accidental nuclear escalation between the United States and Russia. Both sides must immediately return to the successful approach of negotiated arms control initiatives and agreements that reduce nuclear risks by enhancing predictability, and transparency. The United States and Russia have, for decades, maintained nuclear postures that posed an existential threat to one another. To many policymakers, these vestiges of the Cold War did not seem like a significant problem when relations between the two countries were good. That dynamic has now changed and there is once again the possibility that US and Russian nuclear modernization programs could fuel a new arms race. Russia is understandably concerned about US multi-decade, trillion-dollar modernization plans that, among other things, could increase the accuracy of its ICBM force. NATO is understandably concerned about Russia's potential to preemptively use nuclear weapons in the event of a conventional



confrontation. All sides need to develop a greater understanding of how one's own nuclear posture affects the development of new nuclear systems or calculations of the likelihood of war. They also need to develop a better understanding of how long-term plans for nuclear modernizations in the United States and Russia impact total stockpile numbers. One of the most fundamental concepts in the US-Russian nuclear relationship is the connection between offensive and defensive systems. Russian concerns need to be assuaged regarding US plans to further develop US missile defense and conventional prompt global strike capabilities. In 2002, the United States withdrew from the Anti-Ballistic Missile Treaty arguing that it was no longer needed, in part, because Cold War was over. It is now necessary to begin restoring the stability that the treaty once provided. One important first step is for representatives from the United States and Russia to sit down and explain to one another how each country expects to defend itself from missile threats posed by countries like Iran and North Korea without giving the other a motive to build up its own offensive forces. Additionally, the two sides should discuss what assurances, transparency measures, or limitations could be provided with regards to conventional prompt global strike capabilities. Future arms control agreements Regardless of the likelihood of success (or the lack thereof), there is an urgent need for renewed negotiations on arms control measures, as well as on the underlying issues that may affect them. The United States and Russia should resume negotiations on further nuclear reductions, focusing on reducing the number of deployed strategic warheads, limiting the total number of nuclear weapons (including non-strategic nuclear warheads), or some combination of both. Moscow and Washington also need to engage in negotiations on how to curtail provocative new nuclear or conventional modernization programs. Additionally, both countries should conduct their own reviews regarding the true necessity of current nuclear modernization programs. In the United States, there is a need to reevaluate plans to reconstitute and modernize the nuclear triad. Current plans are costly, unnecessary, and provocative. Similarly, Russia should consider redirecting funds for nuclear modernization programs to other high priority threats, such as guarding against nuclear terrorism. As negotiations move forward, the two countries should continue to observe existing arms control agreements, including implementation and adherence to the New START provisions. In the meanwhile, because any future arms control progress may take time, the United States and Russia should reaffirm the importance of New START by agreeing to extend New START beyond its 2021 expiration date. Multilateral arms control If US-Russian nuclear arms reductions continue, it will be necessary at some point to include additional countries – particularly China, France, and the United Kingdom – in the negotiation process. Currently this may seem like a far-off goal. Until the time is ripe, all nuclear-weapons states should practice restraint, refrain from provocative policies, avoid arms build-ups, and work to strengthen multilateral arrangements and organizations, aimed at reducing nuclear threats. One of the keys to successfully negotiating future arms control agreements will be addressing the existing distrust by engaging in areas of mutual interest, starting with possible confidence-building measures. In particular, there is a need to resume military-to-military, scientific, and diplomatic contact focused on jointly addressing the security threats that both countries face. In particular, the United States and Russia should resume the scientific cooperation that was greatly reduced in 2014. During and after the Cold War, cooperation between US and Russian scientists, and in particular the national laboratories of both countries, played a critical role in strengthening ties and developing a common understanding between the two countries. Both countries should also look at new mechanisms for enhancing the sharing of information by using tools like nuclear risk reduction centers (established by a 1987 agreement between the United States Secretary of State and the Soviet Foreign Minister to create an additional channel of communication to prevent misunderstandings that might lead to a nuclear war). There has been progress in strengthening these centers in recent years, but new initiatives should be considered. For example, in 2016, the United States employed nuclear risks reduction centers to send a message to Russia warning it about interfering in US elections

(Nakashima 2016). As Moscow and Washington pursue the longer-term goal of reducing nuclear stockpiles, they should also consider measures that reduce concerns about nuclear use in a crisis. Maintaining nuclear weapons on high alert is particularly dangerous in the current environment, where there is a heightened risk of miscalculation or accident. Both countries should consider reciprocal pledges that neither side will be the first to use nuclear weapons against the other. These declarations should be linked with negotiations on removing US and Russian nuclear weapons from high alert status. One possible step would be for the United States and Russia to agree to reduce the readiness of their nuclear weapons in phases (Kristensen and McKinzie 2012). Both countries could agree to gradually take a percentage of their forces, or specific systems, off high-alert launch-ready status (i.e., de-alert) over a period of time, without risking vulnerability. This could be augmented by regular negotiations on the length of the de-alerting period, which systems to de-alert (for example, both countries could start by reducing the readiness of one system), and what mechanisms for verification would be most effective. Such approaches could also enable a dialogue between the United States and Russia on issues related to alert status. Finally, the United States and Russia should consider more transparency regarding their modernization plans. The United States' Stockpile Stewardship Plan – published annually – includes, among other things, 10-year plans for the modernization of its nuclear warheads. Such information should be exchanged between the two countries, reducing incentives to maintain hedge arsenals and easing concerns about treaty compliance. These exchanges could include nuclear warhead production plans and dismantlement numbers. Moreover, both countries should consider exchanging data on the total number of nuclear weapons. What have we learned? As a matter of necessity, Moscow and Washington should again start identifying fields of mutual interest, and cooperate where appropriate. This could include measures to prevent the proliferation of nuclear weapons materials and technology to third states; measures to address the threat of global terrorism – especially nuclear terrorism – and joint scientific and technological research. While the current US-Russian political dynamic makes cooperation difficult, leaders in both countries should remember their long history of cooperation in these areas. Pursuing initiatives that are in both countries' interests could help enable a better understanding, and rebuild trust. The possibility of cooperation – particularly cooperation that has mutual economic benefit – should be a strong inducement. To be realistic, the future of US-Russian relations is very much a matter of speculation right now, particularly given the newly-elected American president. Yet, there are glimmers of hope. The recent transition of political power in the United States could lead to stronger relations with Russia, ultimately encouraging both countries to return to the path of mutually reducing nuclear risks.

### **NFU will reduce criticism of the US**

Gerson 2010. Gerson is an independent consultant in Atlanta, Georgia. He was previously a division lead, project director, and senior analyst at the Center for Naval Analyses, where his research focused on nuclear and conventional deterrence, nuclear strategy, and arms control. 10/2010. "No First Use: The Next Step for U.S. Nuclear Policy." *International Security*, vol. 35, no. 2, pp. 7–47.

NFU could help assuage some of the recent criticisms of U.S. missile defense and nuclear stockpile maintenance initiatives. NFU could help assure states that might be threatened by U.S. missile defense efforts that they are for purely defensive purposes. NFU could help alleviate concerns that missile defenses might be used to complement offensive operations, such as providing a "safety net" for any remaining weapons launched in retaliation after a U.S. counterforce first strike against a state's nuclear capabilities. An NFU policy might also score political points with domestic opposition to efforts by the United States to update its aging nuclear stockpile, which has been criticized because of the potential negative impact on U.S. nonproliferation efforts. A nuclear doctrine that de-emphasized nuclear weapons by relegating them only to deterrence of a nuclear attack could help ease domestic and international concerns

that efforts to update and enhance the safety and security features of the U.S. nuclear arsenal might inadvertently signal that the United States views nuclear weapons as militarily useful.

### **NFU decreases international instability that could lead to nuclear war**

Conn Hallinan 2017. Foreign Policy In Focus columnist. 04-26-2017. "These Nuclear Breakthroughs Are Endangering the World." Foreign Policy in Focus. Available online [here](#).

At a time of growing tensions between nuclear powers — Russia and NATO in Europe, and the U.S., North Korea, and China in Asia — Washington has quietly upgraded its nuclear weapons arsenal to create, according to three leading American scientists, “exactly what one would expect to see, if a nuclear-armed state were planning to have the capacity to fight and win a nuclear war by disarming enemies with a surprise first strike.” Writing in the Bulletin of Atomic Scientists, Hans Kristensen, director of the Nuclear Information Project of the Federation of American Scientists, Matthew McKinzie of the National Resources Defense Council, and physicist and ballistic missile expert Theodore Postol conclude that “Under the veil of an otherwise-legitimate warhead life-extension program,” the U.S. military has vastly expanded the “killing power” of its warheads such that it can “now destroy all of Russia’s ICBM silos.” The upgrade — part of the Obama administration’s \$1 trillion modernization of America’s nuclear forces — allows Washington to destroy Russia’s land-based nuclear weapons, while still retaining 80 percent of U.S. warheads in reserve. If Russia chose to retaliate, it would be reduced to ash.

Any discussion of nuclear war encounters several major problems. First, it’s difficult to imagine or to grasp what it would mean in real life. We’ve only had one conflict involving nuclear weapons — the destruction of Hiroshima and Nagasaki in 1945 — and the memory of those events has faded over the years. In any case, the two bombs that flattened those Japanese cities bear little resemblance to the killing power of modern nuclear weapons. The Hiroshima bomb exploded with a force of 15 kilotons, or kt. The Nagasaki bomb was slightly more powerful, at about 18 kt. Between them, they killed over 215,000 people. In contrast, the most common nuclear weapon in the U.S. arsenal today, the W76, has an explosive power of 100 kt. The next most common, the W88, packs a 475-kt punch. Another problem is that most of the public thinks nuclear war is impossible because both sides would be destroyed. This is the idea behind the policy of Mutually Assured Destruction, aptly named “MAD.” But MAD is not a U.S. military doctrine. A “first strike” attack has always been central to U.S. military planning, until recently. However, there was no guarantee that such an attack would so cripple an opponent that it would be unable — or unwilling, given the consequences of total annihilation — to retaliate. The strategy behind a first strike — sometimes called a “counter force” attack — isn’t to destroy an opponent’s population centers, but to eliminate the other sides’ nuclear weapons, or at least most of them. Anti-missile systems would then intercept a weakened retaliatory strike. The technical breakthrough that suddenly makes this a possibility is something called the “super-fuze”, which allows for a much more precise ignition of a warhead. If the aim is to blow up a city, such precision is superfluous. But taking out a reinforced missile silo requires a warhead to exert a force of at least 10,000 pounds per square inch on the target. Up until the 2009 modernization program, the only way to do that was to use the much more powerful — but limited in numbers — W88 warhead. Fitted with the super-fuze, however, the smaller W76 can now do the job, freeing the W88 for other targets. Traditionally, land-based missiles are more accurate than sea-based missiles, but the former are more vulnerable to a first-strike than the latter, because submarines are good at hiding. The new super-fuze does not increase the accuracy of Trident II submarine missiles, but it makes up for that with the precision of where the weapon detonates. “In the case of the 100-kt Trident II warhead,” write the three scientists, “the super-fuze triples the killing power of the nuclear force it is applied to.” Before the super-

fuze was deployed, only 20 percent of U.S. subs had the ability to destroy re-enforced missile silos. Today, all have that capacity. Trident II missiles typically carry from four to five warheads, but can expand that up to eight. While the missile is capable of hosting as many as 12 warheads, that configuration would violate current nuclear treaties. U.S. submarines currently deploy about 890 warheads, of which 506 are W76s and 384 are W88s. The land-based ICBMs are Minuteman III, each armed with three warheads — 400 in total — ranging from 300 kt to 500 kt apiece. There are also air and sea-launched nuclear tipped missiles and bombs. The Tomahawk cruise missiles that recently struck Syria can be configured to carry a nuclear warhead. The Technology Gap The super-fuze also increases the possibility of an accidental nuclear conflict. So far, the world has managed to avoid a nuclear war, although during the 1962 Cuban missile crisis it came distressingly close. There have also been several scary incidents when U.S. and Soviet forces went to full alert because of faulty radar images or a test tape that someone thought was real. While the military downplays these events, former Secretary of Defense William Perry argues that it is pure luck that we have avoided a nuclear exchange — and that the possibility of nuclear war is greater today than it was at the height of the Cold War. In part, this is because of a technology gap between the U.S. and Russia. In January 1995, Russian early warning radar on the Kola Peninsula picked up a rocket launch from a Norwegian island that looked as if it was targeting Russia. In fact, the rocket was headed toward the North Pole, but Russian radar tagged it as a Trident II missile coming in from the North Atlantic. The scenario was plausible. While some first strike attacks envision launching a massive number of missiles, others call for detonating a large warhead over a target at about 800 miles altitude. The massive pulse of electro-magnetic radiation that such an explosion generates would blind or cripple radar systems over a broad area. That would be followed with a first strike. At the time, calmer heads prevailed and the Russians called off their alert, but for a few minutes the doomsday clock moved very close to midnight. According to the Bulletin of Atomic Scientists, the 1995 crisis suggests that Russia does not have “a reliable and working global space-based satellite early warning system.” Instead, Moscow has focused on building ground-based systems that give the Russians less warning time than satellite-based ones do. What that means is that while the U.S. would have about 30 minutes of warning time to investigate whether an attack was really taking place, the Russians would have 15 minutes or less. That, according to the magazine, would likely mean that “Russian leadership would have little choice but to pre-delegate nuclear launch authority to lower levels of command,” hardly a situation that would be in the national security interests of either country. Or, for that matter, the world. A recent study found that a nuclear war between India and Pakistan using Hiroshima-sized weapons would generate a nuclear winter that would make it impossible to grow wheat in Russia and Canada and cut the Asian Monsoon’s rainfall by 10 percent. The result would be up to 100 million deaths by starvation. Imagine what the outcome would be if the weapons were the size used by Russia, China, or the U.S. For the Russians, the upgrading of U.S. sea-based missiles with the super-fuze would be an ominous development. By “shifting the capacity to submarines that can move to missile launch positions much closer to their targets than land-based missiles,” the three scientists conclude, “the U.S. military has achieved a significantly greater capacity to conduct a surprise first strike against Russian ICBM silos.” The U.S. Ohio class submarine is armed with 24 Trident II missiles, carrying as many as 192 warheads. The missiles can be launched in less than a minute. The Russians and Chinese have missile-firing submarines as well, but not as many, and some are close to obsolete. The U.S. has also seeded the world’s oceans and seas with networks of sensors to keep track of those subs. In any case, would the Russians or Chinese retaliate if they knew that the U.S. still retained most of its nuclear strike force? Faced with a choice committing national suicide or holding their fire, they may well choose the former. The other element in this modernization program that has Russia and China uneasy is the decision by the Obama administration to place anti-missile systems in Europe and Asia, and to deploy Aegis ship-based anti-missile systems off the Pacific

and Atlantic coasts. From Moscow's perspective — and Beijing's as well — those interceptors are there to absorb the few missiles that a first strike might miss. In reality, anti-missile systems are pretty iffy. Once they migrate off the drawing boards, their lethal efficiency drops rather sharply. Indeed, most of them can't hit the broad side of a barn. But that's not a chance the Chinese and the Russians can afford to take. Speaking at the St. Petersburg International Forum in June 2016, Russian President Vladimir Putin charged that U.S. anti-missile systems in Poland and Romania were not aimed at Iran, but at Russia and China. "The Iranian threat does not exist, but missile defense systems continue to be positioned." He added, "a missile defense system is one element of the whole system of offensive military potential." Unraveling Arms Accords The danger here is that arms agreements will begin to unravel if countries decide that they are suddenly vulnerable. For the Russians and the Chinese, the easiest solution to the American breakthrough is to build a lot more missiles and warheads, and treaties be damned. The new Russian cruise missile may indeed strain the Intermediate-Range Nuclear Forces Treaty, but it is also a natural response to what are, from Moscow's view, alarming technological advances by the U.S. Had the Obama administration reversed the 2002 decision by George W. Bush's administration to unilaterally withdraw from the Anti-Ballistic Missile Treaty, the new cruise might never have been deployed. There are a number of immediate steps that the U.S. and the Russians could take to de-escalate the current tensions. First, taking nuclear weapons off their hair-trigger status would immediately reduce the possibility of accidental nuclear war. That could be followed by a pledge of "no first use" of nuclear weapons. If this does not happen, it will almost certainly result in an accelerated nuclear arms race. "I don't know how this is all going to end," Putin told the St. Petersburg delegates. "What I do know is that we will need to defend ourselves."

### **Clarity on the use of nuclear weapons by the US is key to preventing escalation**

Bloomberg 2018. Editorial board. 5/29/18. "U.S. Needs Better Missile Defense for a Scarier Nuclear Age," <https://www.bloomberg.com/view/articles/2018-05-29/u-s-missile-defense-for-a-scarier-nuclear-age>

In the last few weeks, the world has become a measurably more dangerous place. The apparent collapse of the North Korea talks, U.S. withdrawal from the Iran nuclear pact, Russia's threat to shoot down U.S. planes over Syria, and China's placement of anti-ship and anti-air missiles on its manufactured islands in the South China Sea have all pushed the needle one tick closer to the unthinkable: nuclear war. So now, more than ever, is the time to think about it — and plan for it. America's primary domestic defense system against a nuclear-missile attack is the Ground-Based Midcourse Defense, or GMD, with bases in Alaska and California. More than \$40 billion has been spent on this successor to Ronald Reagan's so-called Star Wars project. Yet it has only 44 "kill vehicles" intended to defend against a small-scale intercontinental attack of the sort North Korea might attempt, and its success rate in testing is only about 50 percent. A second system based in Eastern Europe since 2016 uses an on-shore version of the Navy's excellent Aegis combat system and is intended to protect Europe from an Iranian nuclear attack. But it isn't geared toward defeating the longer-range ballistic missiles Iran is thought to be developing in violation of United Nations resolutions. Testing of the system has been limited. If the uncertainty over whether these systems could knock even a single attack by a rogue state out of the sky isn't unsettling enough, the U.S. would be all but defenseless from a mass attack by nuclear superpowers China and Russia. The only U.S. defense is its overwhelming offense of 6,800 nuclear warheads in Midwestern bunkers and aboard nuclear submarines and long-range bombers. Yet there are reasons for optimism. The Pentagon's "theater defense" systems, designed to take out short- and medium-range conventionally armed missiles (and perhaps tactical nuclear weapons) on the battlefield, have performed far better. The ground-based Terminal High Altitude Area Defense, which is now deployed in South Korea and Guam, has

been virtually flawless in testing, according to the Pentagon. The older Patriot system and the ship-based version of Aegis have also been highly reliable. It doesn't take a rocket scientist to see that one solid step toward improving matters would be to integrate all these systems into a holistic national missile shield. Movement in that direction, one hopes, will be spurred by the imminent release of the newest congressionally mandated Defense Department comprehensive overview of the issue. Even before the public sees it, there is already a promising signal: While previous versions were titled the "Ballistic Missile Defense Review," that first word has been dropped from the forthcoming document, showing that the Pentagon is looking at the bigger picture. Integrating the various defense shields is all the more vital because China and Russia are making great advances in developing hybrid technologies such as hypersonic missiles — which unlike ballistic missiles can change course rapidly — as well as a new generation of long-range (and perhaps nuclear-powered) cruise missiles, better unmanned systems and more. While it's certain that the new review won't ignore the China-Russia threat — as the Obama administration's 2010 version largely did, another instance of its general failure to take the Russian threat seriously — it would be a terrible oversight if it doesn't fully consider the implication of a new era of great-power conflict. Thus one pillar of any new strategy should be a rebalancing toward homeland defense, which in budget terms has been badly undernourished compared to tactical systems over the last decade. An obvious first step would be to improve the two existing land-based systems. On the domestic shield, the quickest and easiest improvement would be to expand the missile fields at Fort Greeley, Alaska, which could accommodate 60 interceptors or more. The Pentagon should also look at the feasibility of a new shield to defend the eastern half of the country, perhaps with a mobile system that could move between sites on the East Coast and Midwest. On Eastern Europe, the Trump administration could go ahead with two plans shelved by its predecessor in deference to Russian concerns — placing batteries in one more allied country, likely Poland, and re-arming the system with a new generation of Raytheon's SM-3 interceptors. A second area requiring urgent attention is space. The heavens are currently an arms-free zone under the terms of a 1967 treaty, but there's little doubt that America's adversaries are planning to someday weaponize satellites, and the U.S. should be ready to do the same. New space-based sensor technologies are needed to track missiles (including low-altitude weapons such as hypersonics) from launch to impact. Ground- and sea-based sensors can't do that because of the curvature of the earth. Such monitoring would also be better than terrestrial systems at discerning decoys and other missile trickery. In addition, most U.S. defenses are designed to intercept incoming missiles at their midcourse phase, just before they re-enter the earth's atmosphere. This is aptly likened to "hitting a bullet with a bullet." A far surer way to defuse the threat would be to blow it up on take-off. Possibilities for this include cyberattacks and directed-energy weapons (that is, laser beams). Finally, as more money and effort are put into research and development, the U.S. would be well advised to share its advances with its closest allies, particularly Israel (which could return the favor by sharing its Iron Dome technology) and the Gulf Arab states, which have long struggled to build a joint missile-defense system against Iran. Many will worry that if the U.S. steps up its defense architecture in these and other ways, it will simply spur China and Russia to put more money into their own missile capabilities. But those two nations are already in a mad dash to upgrade and expand every aspect of their militaries. Stronger U.S. defenses are the best way to deter their increasing aggressions and bring them, someday, to the negotiating table for arms-reduction talks. That said, China and Russia need to be reassured that these new systems are defensive only, and not engineered for preemptive strikes on their strategic arsenals. Any ambiguity about that would be destabilizing — the last thing anybody should want in the life-and-death chess game of nuclear deterrence. Last year, President Trump claimed that "We have missiles that can knock out a missile in the air 97 percent of the time." Let's hope the Missile Defense Review will set him straight: Judged as a whole, the country's missile defenses come nowhere close to providing that kind of security. Ensuring Americans' safety amid rising

nuclear threats from major powers and rogue states demands new vision and determination of U.S. civilian and military leaders.

### **The risk of miscalculation leading to a nuclear conflict is increasing**

Omar Lamrani 2018, Senior Military Analyst, Stratfor, 2/20/18, "An Arms Race Toward Global Instability," Available online [here](#).

As the power competition between Russia, China and the United States intensifies, the emergence of disruptive weapons technologies will drive them deeper into a destabilizing arms race. Increasingly capable missile defense systems, for example, will play a central role in the struggle going forward, though the technology is still evolving to better address ballistic missiles. To appreciate the disruptive effect of ballistic missile defense, one must consider the limited inventory of ballistic missiles available to the United States, Russia and China. The fear among these countries is that as missile defense technology improves and becomes more prevalent, it will render their modest arsenals ineffective. A disarming nuclear strike from one power would further reduce the number of viable missiles in the target state's holdings, and the remaining weapons may not be powerful enough to overcome the aggressor country's missile defenses in a retaliatory strike. Consequently, while the United States' early lead on missile defense technology will spur Russia and China to keep working on their own missile defenses, it will also push them to beef up their offensive weapons. Nuclear weapons will be another point of contention. According to the U.S. Nuclear Posture Review, the United States is preparing to shift its stance on the use of nuclear weapons and to introduce new ones, including a low-yield warhead for submarine-launched ballistic missiles. Low-yield nuclear weapons aren't a new development for the United States, but putting them on a ballistic missile submarine is. The move is intended to address the growing concern that a potential enemy — be it a great power such as Russia or a rogue state like North Korea — would resort to an "escalate to de-escalate" strategy. Under that strategy, the inferior military power would use a low-yield or "tactical" nuclear weapon to discourage continued attacks from the United States on the assumption that Washington wouldn't strike back with its strategic nuclear arsenal for fear of starting a devastating war. Positioning low-yield nuclear weapons on ballistic missile submarines will give the United States greater speed and flexibility in their use. The decision is not without its risks, however. For one thing, a single strike with a low-yield nuclear warhead may well escalate to a full-blown war with strategic weapons. For another, since the U.S. ballistic submarine fleet carries a large portion of the country's strategic nuclear weapons arsenal, adding low-yield nuclear weapons to the mix could create a discrimination problem for adversary states in the event of a launch. An enemy would detect an incoming ballistic missile fired from a submarine without being able to tell whether it carried a low-yield warhead or it was the opening salvo in a massive first strike with strategic nuclear weapons. The advent of super-fuze warheads will compound the risk. Super-fuze technology dramatically enhances the effectiveness of weapons against hardened targets, such as nuclear missile silos, by optimizing a warhead's ability to home in on and detonate directly on top of its mark. Although it's currently in use only on U.S. W76 strategic nuclear warheads, the super-fuze could conceivably work for low-yield nuclear weapons as well. And because low-yield nuclear weapons are not subject to the same arms treaty restrictions that limit the number of strategic nuclear weapons a country may hold, improving their accuracy with super-fuze technology could upend the current nuclear balance. The more countries acquire low-yield nuclear weapons — much less super-fuzed warheads — the greater the potential for their use. Further complicating matters are hypersonic missiles. The missiles' high speed — at least five times the speed of sound — facilitates their rapid use and boosts their rate of survival by making them difficult to intercept. In addition, some hypersonic weapons come equipped with a glide vehicle that extends their range, enabling forces to launch the weapons from beyond an enemy's reach. These factors offer militaries great incentive to incorporate hypersonic missiles into their arsenals. As more and more countries adopt

hypersonic missiles, the weapons' offensive abilities may prove destabilizing. States may opt to strike first — perhaps with nuclear weapons — to take out an adversary's hypersonic missile caches before the enemy has a chance to use them. While weapons technology is developing at a rapid clip, arms control treaties are deteriorating just as quickly. Key agreements between the United States and Russia were foundering well before Washington shifted its focus back to great power competition. The United States withdrew from the Anti-Ballistic Missile Treaty in 2002, and the critical Intermediate-Range Nuclear Forces (INF) Treaty is showing signs of considerable strain, which is bound to increase as Washington bolsters its defenses. Alarmed by the United States' growing investment in missile defense and super-fuze technology, Russia and China will try to enhance their offensive capabilities in kind. The resulting arms race would probably drive the last nail into the INF's coffin and perhaps even jeopardize the New Strategic Arms Reduction Treaty. Beijing, meanwhile, will strive to keep its competitive edge in hypersonic weapons development in an effort to get ahead of Washington's advancing missile defense capabilities. Though the countries will try to craft new arms control agreements to accommodate their changing world, the challenges of striking a deal among three great powers with disparate strengths will get in the way. Coupled with the fall of critical arms control regimes and the rise of disruptive weapons technology, the next great power competition could erode global stability. Tightening arms races and moribund arms control agreements will undermine the trust between the great global powers and discourage cooperation. Instead, more discord and conflict will erupt between the United States on one side and Russia and China on the other.

### **The US is less prepared to respond to a retaliatory attack than most think**

Laura Grego 2018. Senior scientist in the Global Security Program at the Union of Concerned Scientists. 4-24-2018. "The Faulty and Dangerous Logic of Missile Defense." Scientific American Blog Network. Available online [here](#).

North Korea's recent and dramatic tests of long-range missiles have created a sense of urgency and vulnerability in the United States, leading to renewed calls for expanding missile defenses. The administration and Congress have approved huge funding increases for existing systems, and call for developing new types of defenses—potentially including interceptors in space. Is this the answer? How should one think about missile defense: as a protective shield or a dangerous illusion? Missile defenses have as long a history as missiles do, and in the late 1960s American and Soviet scientists came to believe that a defense against long-range missiles would never be effective because the other country would simply build more weapons to defeat it, leading to a dangerous arms race. The 1972 Anti-Ballistic Missile (ABM) Treaty, which placed strict limits on U.S. and Soviet/Russian strategic missile defenses, reflected that understanding. President Reagan's 1983 "Star Wars" speech challenged that idea by calling for the United States to develop a large defensive system that included orbiting interceptors. Recognized by most experts as unworkable, this expansive system was pared down over the next decade and finally shelved, although work continued on interceptor technology during the Clinton administration. Then, in 2002, President George W. Bush abandoned the logic of the ABM Treaty, by withdrawing from it and announcing that the United States would field the first interceptors of a new Ground-based Midcourse Defense (GMD) in less than two years. To do so, the administration exempted its development from the strict "fly-before-you-buy" rules that govern all other large Pentagon projects—a step that has had dire and long-lasting consequences. GMD remains the sole system designed to counter intercontinental ballistic missiles. Its 44 silo-based interceptors in Alaska and California are designed to be guided by space, ground and sea-based sensors to collide with an incoming warhead and destroy it with the force of impact. Reflecting the difficulty of the task, and the haste and lack of rigor of its



development, the GMD system today has a very poor test record, even though these tests were “scripted for success” according to former Pentagon head testing official Phil Coyle. The problems are well documented. Only about half of the 18 intercept tests since 1999 successfully destroyed their targets, and the test record has not improved with time: only two of the last five tests were successful—and GMD has still has not been tested under operationally realistic conditions. Thus, there is no evidence that the \$40 billion GMD system provides a reliable defense, even against a country like North Korea. More fundamentally, even if the reliability is improved, GMD’s prospects for providing an effective defense in the future are poor because it will face countermeasures that any country that has developed a long-range missile and a nuclear warhead could readily use to confuse or overwhelm the system. Despite these problems, however, the administration and Congress plan to expand the system; the current budget includes funding to build 20 additional interceptors. Given North Korea’s pursuit of a nuclear-armed long-range missile, it seems reasonable to ask whether something isn’t better than nothing. That sounds plausible, but does not hold up upon closer examination. The unconstrained pursuit of missile defenses can, perhaps counterintuitively, create even greater risks. For example, a belief that missile defense works better than it does can lead political and military leaders to adopt a more aggressive foreign policy and take more risks. U.S. officials regularly describe the system as much more capable than it has been demonstrated to be. Even President Trump stated on television last October that “We have missiles that can knock out a missile in the air 97 percent of the time.” Yet the testing data show there is no basis to expect interceptors to work more than 40 to 50 percent of the time even under the most generous and easiest conditions. Using multiple interceptors against each target can improve these odds, but it does not fundamentally change the situation; the chance of a nuclear weapon getting through would still be dangerously high. Consider an attack with five missiles. Using four interceptors against each target, each with a kill probability of 50 percent, the odds that one warhead gets through are 28 percent—or higher, if the failure modes are not independent of each other (for example, if the guidance systems of all the interceptors are faulty in the same way). Overestimating defense effectiveness could increase policymaker support for a pre-emptive attack against North Korea, which might then fire missiles in retaliation. It would then become clear that the system could not stop those missiles. Missile defenses can also increase nuclear risks by blocking arms control and providing incentives for Russia and China to build more and different kinds of weapons; preventing this dynamic was a core reason for the ABM Treaty’s limits. Russia and China worry the United States may come to believe it could launch a first strike without fear of retaliation because it could shoot down any surviving missiles. This fear is exacerbated by U.S. development of conventional “counterforce” weapons that can attack Chinese and Russian nuclear weapon systems. These concerns are not theoretical. Russia has repeatedly stated that any future arms control agreements must include limits on missile defenses, and says expansion of U.S. defenses could lead it to withdraw from the New START treaty. And on March 1, Russian President Vladimir Putin announced plans to field several new nuclear systems that could avoid U.S. missile defenses, including a nuclear-powered nuclear-armed cruise missiles and underwater drones. China has begun to build more long-range missiles, develop hypersonic weapons and deploy multiple warheads on its missiles, and has also discussed putting its missiles on high alert. At worst, U.S. defenses are driving developments that result in more threats and risks; at best they are providing justifications for them. The irony is that they do not provide an effective defense in any case. Unfortunately, things are on a path to get worse. The United States is developing a ship-based interceptor that in theory could intercept strategic missiles and plans to field hundreds of them in the coming years. An influential minority in Congress has been calling for space-based missile defenses, with plans for a “space test bed” that would put dedicated weapons in orbit for the first time. Chinese and Russian military planners will not ignore these developments. As long as nuclear-armed countries continue to believe their security relies on the ability to retaliate with nuclear

weapons, missile defenses will interfere with efforts to reduce—and eventually eliminate—these weapons. Given the inherent problems with building reliable and effective missile defenses, these defenses are more a dangerous illusion than a realistic solution.

**Unless we start to decrease the size of nuclear arsenals, nuclear terrorism is inevitable. NFU is the first step to decreasing our arsenal.**

Irma Arguello & Emiliano J. Buis 2018. Arguello is founder and chair of the NPSGlobal Foundation, and head of the secretariat of the Latin American and Caribbean Leadership Network; Buis is researcher and professor at the NPSGlobal Foundation. 03/04/2018. "The Global Impacts of a Terrorist Nuclear Attack: What Would Happen? What Should We Do?" Bulletin of the Atomic Scientists, vol. 74, no. 2, pp. 114–119.

Making matters worse, there is evidence of an illicit market for nuclear weapons-usable materials. There are sellers in search of potential buyers, as shown by the dismantlement of a nuclear smuggling network in Moldova in 2015. There certainly are plenty of sites from which to obtain nuclear material. According to the 2016 Nuclear Security Index by the Nuclear Threat Initiative, 24 countries still host inventories of nuclear weapons-usable materials, stored in facilities with different degrees of security. And in terms of risk, it is not necessary for a given country to possess nuclear weapons, weapons-usable materials, or nuclear facilities for it to be useful to nuclear terrorists: Structural and institutional weaknesses in a country may make it favorable for the illicit trade of materials. Permeable boundaries, high levels of corruption, weaknesses in judicial systems, and consequent impunity may give rise to a series of transactions and other events, which could end in a nuclear attack. The truth is that, at this stage, no country in possession of nuclear weapons or weapons-usable materials can guarantee their full protection against nuclear terrorism or nuclear smuggling. Because we live in a world of growing insecurity, where explicit and tacit agreements between the relevant powers – which upheld global stability during the post- Cold War – are giving way to increasing mistrust and hostility, a question arises: How would our lives be affected if a current terrorist group such as the Islamic State (ISIS), or new terrorist groups in the future, succeed in evolving from today's Manchester style "low-tech" attacks to a "high-tech" one, involving a nuclear bomb, detonated in a capital city, anywhere in the world? We attempted to answer this question in a report developed by a high-level multidisciplinary expert group convened by the NPSGlobal Foundation for the Latin American and Caribbean Leadership Network. We found that there would be multiple harmful effects that would spread promptly around the globe (Arguello and Buis 2016); a more detailed analysis is below, which highlights the need for the creation of a comprehensive nuclear security system. The consequences of a terrorist nuclear attack A small and primitive 1-kiloton fission bomb (with a yield of about one-fifteenth of the one dropped on Hiroshima, and certainly much less sophisticated; cf. Figure 1), detonated in any large capital city of the developed world, would cause an unprecedented catastrophic scenario. An estimate of direct effects in the attack's location includes a death toll of 7,300-to-23,000 people and 12,600-to-57,000 people injured, depending on the target's geography and population density. Total physical destruction of the city's infrastructure, due to the blast (shock wave) and thermal radiation, would cover a radius of about 500 meters from the point of detonation (also known as ground zero), while ionizing radiation greater than 5 Sieverts – compatible with the deadly acute radiation syndrome – would expand within an 850-meter radius. From the environmental point of view, such an area would be unusable for years. In addition, radioactive fallout would expand in an area of about 300 square kilometers, depending on meteorological conditions (cf. Figure 2). But the consequences would go far beyond the effects in the target country, however, and promptly propagate worldwide. Global and national security, economy and finance, international governance and its framework, national political systems, and the behavior of governments and individuals would all be put under severe trial. The severity of the effects at a national level, however, would depend on the countries' level of development, geopolitical location, and

resilience. Global security and regional/national defense schemes would be strongly affected. An increase in global distrust would spark rising tensions among countries and blocs, that could even lead to the brink of nuclear weapons use by states (if, for instance, a sponsor country is identified). The consequences of such a shocking scenario would include a decrease in states' self-control, an escalation of present conflicts and the emergence of new ones, accompanied by an increase in military unilateralism and military expenditures. Regarding the economic and financial impacts, a severe global economic depression would rise from the attack, likely lasting for years. Its duration would be strongly dependent on the course of the crisis. The main results of such a crisis would include a 2 percent fall of growth in global Gross Domestic Product, and a 4 percent decline of international trade in the two years following the attack (cf. Figure 3). In the case of developing and less-developed countries, the economic impacts would also include a shortage of high-technology products such as medicines, as well as a fall in foreign direct investment and a severe decline of international humanitarian aid toward low-income countries. We expect an increase of unemployment and poverty in all countries. Global poverty would raise about 4 percent after the attack, which implies that at least 30 million more people would be living in extreme poverty, in addition to the current estimated 767 million. In the area of international relations, we would expect a breakdown of key doctrines involving politics, security, and relations among states. These international tensions could lead to a collapse of the nuclear order as we know it today, with a consequent setback of nuclear disarmament and nonproliferation commitments. In other words, the whole system based on the Nuclear Non-Proliferation Treaty would be put under severe trial. After the attack, there would be a reassessment of existing security doctrines, and a deep review of concepts such as nuclear deterrence, no-first use, proportionality, and negative security assurances. Finally, the behavior of governments and individuals would also change radically. Internal chaos fueled by the media and social networks would threaten governance at all levels, with greater impact on those countries with weak institutional frameworks. Social turbulence would emerge in most countries, with consequent attempts by governments to impose restrictions on personal freedoms to preserve order – possibly by declaring a state of siege or state of emergency – and legislation would surely become tougher on human rights. There would also be a significant increase in social fragmentation – with a deepening of antagonistic views, mistrust, and intolerance, both within countries and towards others – and a resurgence of large-scale social movements fostered by ideological interests and easily mobilized through social media.

### **There are very few limitations on the President's ability to launch a first strike, which could cause civilization-ending nuclear war**

Dr. Peter Feaver 2017. Duke University. 11-14-17. "Statement to the Senate Foreign Relations Committee on the Authority to Order the Use of Nuclear Weapons." Available online [here](#).

My bottom line is simple: in the past Congress has played a vital role in pushing the Executive Branch to strengthen the nuclear command and control system and the time may be ripe for another close look. In the course of reviewing previous choices made, scrutinizing established procedures, and looking at old problems with fresh eyes, we may well identify areas for improvement. However, we must proceed with some caution. The topic is highly classified and thus hard to discuss in open session. It is also highly complex, with de facto operations hinging on crucial details that are hard for outsiders to assess with confidence. Above all, there are some fundamental dilemmas at the heart of nuclear command and control that mean there are no simple solutions. Context matters and every fix may have unintended second or third order effects that may only be understood after the system has been thoroughly exercised. I will make four brief points in my opening remarks and then look forward to answering your questions as best I can. First, at the heart of the nuclear command and control system is what might be called

the always/never dilemma. For nuclear deterrence to work, we must have a high assurance that the country will always be able to present a credible nuclear strike capability to our adversaries, even in the most-dire scenarios. Otherwise, if others believe that some sort of massive or cleverly designed first strike could render our nuclear arsenal unusable, adversaries will have a powerful incentive to strike us first and early in any unfolding crisis. A significant portion of the nuclear command and control system is thus dedicated to ensuring that the President would have a viable nuclear option, even under very demanding time constraints, or even after the United States has suffered a devastating attack. We spend enormous sums of money making communications systems as robust as they can be and training all echelons of command to be ready to present the national command authority with executable 2 options under any conditions. Design features that increase the risk of failure – that would cause the system to fail impotent, rather than merely fail safe -- could undermine deterrence. However, because even a single nuclear detonation would be so consequential and might trigger an escalatory spiral that would lead to civilization-threatening outcomes, we must also have a high assurance that there would never be an accidental or unauthorized use of nuclear weapons. A significant portion of the nuclear command and control system is devoted to safety and security measures designed to minimize these risks. U.S. nuclear weapons are equipped with environmental sensing devices that inhibit nuclear detonation unless the weapon experiences the exact sequence of physical effects – spin, gravity, change in altitude, etc. – that would be associated with an intended use, thus ensuring that the warhead will not detonate simply because it is dropped or bumped. Launch control processes involve complex authentication measures designed to validate that an order is authentically emanating from the national command authority and not some rogue element. During the later period of the Cold War, weapons that were deployed in remote settings close to potential battlefields had protective devices known as Permissive Action Links (PALs) that rendered the weapon inert so that anyone stealing it or trying to use it without proper authorization would be stymied. The challenge is that measures designed to improve the always side of the equation can compromise the never side and vice-versa. Pre-delegating the authority to use nuclear weapons and spreading the capability to do so to lower echelons may thwart an enemy's first-strike planning, for example, but it would raise the risk that a weapon might be used in an unauthorized fashion or by someone confused in the fog of battle. The history of nuclear command and control is a history of civilian and military leaders debating the proper balance between always and never. It is a history of occasional discoveries that the risks on one side or the other side of the ledger were greater than originally understood. And it is a history of improvements – some, like Permissive Action Links, pressed by far-seeing congressional advocates – that may have helped forestall disaster. Even though we never had a truly catastrophic nuclear accident it is now publicly known that there were far too many close calls. Accordingly, our nuclear commanders are wise to be ever-vigilant and open to reexamining existing procedures with fresh eyes. It is thus of vital national importance that our leaders, our adversaries, our allies, and our citizens have confidence that the nuclear command and control system continues to give due consideration to this always/never dilemma and that we have not inadvertently accepted too much risk of failure on either side. There is no single optimal solution. The right balance depends on the geostrategic context and advances in technology, among other factors, which is why we should never act as if the problem has been “solved.” On the contrary, it is a problem that must be managed on an ongoing basis, adjusting as appropriate with other changes. This brings me to my second major point: we must be willing to invest the requisite funds to keep our technology up to date, but in the nuclear command and control business hardware is trumped by software, and software is trumped by wetware. Hardware refers to the technology: for instance, permissive action links that block the firing mechanism until a proper code is inserted. Software refers to the rules and procedures that govern how the hardware is used: for instance, the code-management system that determines who has the PAL codes and who is authorized to disseminate them. Wetware refers to the

human element: the reliability of people involved in enforcing the rules and the civil-military relations that form the political context in which the software and hardware operate. In the past, reviews of the command and control system uncovered hardware flaws that needed to be corrected – for instance, gaps in communications that could be fixed with more modern technology. But more often reviews identified software and wetware problems – for instance, discovering that rules were interpreted in a way that produced unintended effects or discovering that bureaucracies had resorted to understandable “work-arounds” to get around cumbersome procedures and, in the process, introduced uncertainties that were not properly understood by higher authorities. This latter process has been called the “paradox of control:” the more the higher levels of command seek to assert restrictive control of subordinate elements, even at the risk of making those subordinate elements incapable of doing their jobs, the greater is the incentive of those subordinate elements to establish “work-arounds” that the higher authorities may not be aware of or, if they are, may not fully comprehend. At the end of the day, what would matter most is the human element. Would the President properly understand his/her role and his/her options and wisely weigh the second and third order implications of any decision he/she made? Would the President’s advisors be in a position to provide timely counsel and would that counsel shape the President’s decisions? Would the various echelons in the chain of command recognize a valid authenticated nuclear use order as also being legal, given the military’s deeply ingrained training to refuse to implement any illegal order? Would lower level operators, the proverbial “button pushers,” carry out their fateful assignment in light of what is now known about the risks of nuclear war? Indeed, would subordinate elements of the command and control system do what they were supposed to -- no more and no less -- but with appropriate judgment? This last point cannot be overemphasized. For decades now, it has been technologically possible to build a nuclear command and control system that would eliminate the human element in the launch sequence altogether. Every generation of strategic leaders has understood that such a system would be foolhardy in the extreme. The human element introduces risks, to be sure, but it also introduces the opportunity to mitigate risks. This brings me to my third major point. The best reforms to the nuclear command and control system would be ones that maximized the opportunity for the human element to mitigate risks by maximizing time for deliberation and assessment. The best reforms are ones that would increase the time that the President and his advisors would have available so as to make considered decisions incorporating the widest set of inputs, including, if possible, inputs from leaders in Congress. Of course, efforts to extend decision times must not run afoul of the always-never dilemma. Reforms that maximized decision time but rendered the nuclear arsenal unusable in a crisis or conventional conflict would undermine deterrence and could actually make a nuclear war more, not less, likely. Moreover, measures aimed at providing radical solutions at the hardware level risk being undone by workarounds at the software or wetware levels. Nevertheless, investments -- even costly investments -- in systems that buy more decision time in 4 crises are likely among the wisest expenditures we can make. For instance, enhanced missile defenses may be a prudent option in light of the growing threat from North Korea – one that gives the President more time to assess before reacting. And upgrading communications systems to ensure that the President will have immediate access to all of his/her relevant advisors even under demanding scenarios would be a prudent investment in national security. Earlier generations of strategic leaders found ways to improve the nuclear command and control system without exacerbating the always/never dilemma and, speaking as a citizen, I would ask the current generation of strategic leaders to do the same. However, I would likewise caution that not every proposed reform would actually reduce nuclear risks. This brings me to my fourth and final point: the time is ripe for a fresh look. The Trump Administration is going through a Nuclear Posture Review right now and, presumably, the adequacy of the nuclear command and control system is a priority focus of that review. Changes in communications technologies and rapidly evolving cyber threats alone would justify a fresh examination. It is likely that the command and control

system is overdue for some major (and expensive) upgrades. At the same time, the geostrategic environment today is markedly different. Threats that were warned about five years ago have become urgent realities today. North Korea is only the most vivid example of this; a confrontational Russia and an assertive China have dramatically changed our threat picture. The nuclear command and control system is likely facing new strains because of these developments. And, finally, our divisive political environment has raised new doubts about the effectiveness of all our branches of government to wield the power they possess responsibly. In that context, a thoroughgoing review of nuclear command and control could help shore up public confidence in this vital area. Outside experts have suggested many possible improvements that are worth considering. One proposal calls for clarifying the chain of command to ensure that lower-echelons know that any order to use nuclear weapons has been adequately vetted. Another proposed approach recommends requiring certifications by additional cabinet officials of launch orders under certain circumstances. Still another proposal calls for specifying certain scenarios that would require prior consultation with Congress before a nuclear use order would be deemed legal. All of these proposals raise important constitutional questions about usurping the President's authorities; I am not a lawyer but I will point out that the precise distribution of powers among the branches related to military decision-making has never been entirely clear, and so reforms that raise the hoary war powers issue, particularly in the nuclear area, are especially fraught. But there may be reforms that pass constitutional muster while also enhancing the ability of the President to wield his/her commander-in-chief powers in the most effective and responsible way possible. Finding those should be an urgent priority for this and other responsible legislative and executive bodies. Because the actual operations of the current system are exceedingly complex, I would recommend great caution before legislating any particular fix. Nevertheless, Congress can play an important role in strengthening nuclear command and control. Congress can stipulate that the NPR explicitly address these questions. Moreover, Congress will have multiple opportunities to give input through the authorization and appropriation process for the ongoing modernization of the nuclear arsenal. Above all, I would recommend diligence and perseverance in oversight of the system, to reassure our friends and to warn our enemies that the nuclear arsenal will function as it is intended.

### **Reducing our nuclear arsenal is necessary to protect the environment**

Robert Alvarez 2018. Senior scholar at the Institute for Policy Studies, served as senior policy adviser to the Energy Department's secretary and deputy assistant secretary for national security and the environment from 1993 to 1999. 8-30-2018. "Under siege: Safety in the nuclear weapons complex." Bulletin of the Atomic Scientists. Available online [here](#).

The NNSA and its contractor managers reacted with such hostility to requests to fix longstanding deficiencies that eight of 10 members of the Nuclear Explosive Safety group told the safety board that they felt their careers were threatened. After the board aired these problems in 2013, senior NNSA officials were forced to concede that nuclear explosive safety at Pantex was being compromised. Pantex remains a safety outlier in the weapons complex; it has yet to adopt the Energy Department's legally binding occupational radiation protection standard—more the 20 years after its adoption by the rest of the complex. Recently, the board's staff has raised concerns that involve tens of tons of plutonium from dismantled weapons stored on an "interim basis" in facilities at Pantex. The storage magazines that hold the plutonium were built more than 50 years ago and were never intended to indefinitely store one of the largest (and growing) nuclear explosive inventories in the world. In 2010 and 2017, heavy rains, predicted to occur only once every 2000 years, flooded a major plutonium storage area with several inches of water, which shut down the plant and affected about 1,000 containers of plutonium. Now, some containers affected by the flood are showing signs of corrosion. Given the NNSA's reluctance to build a state-of-the-art nuclear explosive facility, tens of tons of plutonium are likely to remain in these antiquated structures, awaiting further floods and posing

a continuing danger. A problem at Los Alamos and beyond. One of the Defense Nuclear Facilities Safety Board's biggest challenges involves the Los Alamos National Laboratory, where the Trump Administration hopes to make dozens of plutonium weapons components, known as "pits," necessary to ignite a nuclear explosion. Despite repeated recommendations by the board, Los Alamos refuses to reduce the approximately five tons of plutonium stored onsite, in facilities that could release it to the environment. By 2012, in a decisive act of no confidence, nearly all the safety experts responsible for preventing nuclear criticality accidents at Los Alamos resigned in protest over what has been described as the "cowboy culture" at the lab. The NNSA couldn't ignore the mass protest, which led to a four-year closure of the lab's plutonium processing facility, known as "PF-4." Now, however, the Trump administration is aggressively pushing to restart nuclear weapons production on an industrial scale, giving Los Alamos a green light to make plutonium pits in much greater numbers at an antiquated facility that is unable to demonstrate it can meet safety requirements. Currently, about half of the contractor employees with skills critical to maintaining the US nuclear weapons stockpile are close to retirement. The safety board needs to make sure that staff cuts and loss of staff morale do not similarly diminish its institutional expertise. At the same time, Congress should step in and strengthen the board's presence at and access to nuclear weapons complex sites and its powers of access. Congress also needs to provide adequate funding and to prevent the Energy Department from curtailing safety board activities that have been so critical to protecting workers and the public alike. Though the Cold War is long over, the Energy Department's antiquated, contractor-dominated management system—in which safety goal posts are easily moved behind closed doors—continues to endure and, in some cases, thrive. Without the meaningful oversight of the Defense Nuclear Facilities Safety Board, the nuclear weapons complex will predictably march back to a time, in the not-so-distant past, when public and worker safety was an afterthought—with serious consequences.

### **Removing first use power would constrain executive authority and reduce the risk of miscalculation**

Jeet Heer 17. New Republic staff writer. 08-12-2017. "Don't Just Impeach Trump. End the Imperial Presidency." Available online [here](#).

But the more ineffectual Trump is in domestic politics, the louder and scarier he is on the international stage. Even if we accept Krauthammer's contention that the "guardrails" of political and civil society are preventing Trump from fundamentally damaging American society, Trump still enjoys enormous unchecked power abroad. Perhaps precisely because he is thwarted at home, Trump is now more prone than ever to lash out against foreign foes. This week, he used the incongruous setting of a photo op at Trump National Golf Course in New Jersey to threaten North Korea with nuclear annihilation. "North Korea best not make any more threats to the United States," he warned. "They will be met with fire and fury like the world has never seen." He doubled down on those remarks on Friday, tweeting: Military solutions are now fully in place, locked and loaded, should North Korea act unwisely. Hopefully Kim Jong Un will find What makes these words terrifying, even if we make every allowance for Trump's bluster, is that he has the power to make them true. America's nuclear chain of command grants a president absolute authority to launch preventive nuclear strikes whenever desired. In 1974, as his presidency was capsizing, Richard Nixon reflected that, "I can go into my office and pick up the telephone, and in 25 minutes 70 million people will be dead." Trump enjoys that same power. Much has been made of Trump's manifest authoritarian tendencies: that he sees politics only in terms of domination, his habit of praising extrajudicial violence, and his proclivity for breaking norms. Yet Trump's authoritarian tendencies would not get him very far without a mechanism for enacting his wishes, and his nuclear threats make clear what that mechanism is: the Imperial Presidency. The powers of the office are not just those enumerated in the Constitution, but the

extra-constitutional powers the presidency has acquired over the decades—especially the ability to start wars at whim. It's taken someone as frightening as Trump to make plain that Congress must act to restrain not just the sitting president, but the office itself. Historians and political scientists often use the term "Imperial Presidency" to refer to the fact that the American president, at least since the dawn of the Cold War in the 1940s, has war-making powers closer to that of an absolute monarch than an officeholder in a republic who is bound by the rules of law. If we are worried about Trump inflicting great harm on the world, it's the powers of the Imperial Presidency that enable him to do the most damage. The Imperial Presidency rests on an ambiguity in the Constitution. In theory, the president is coequal to Congress and to be held in check by it. But in times of war, the requirement of national unity almost always leads Congress to defer to the president. As Alexander Hamilton noted in "The Federalist 8," "It is of the nature of war to increase the executive at the expense of the legislative authority."

Throughout the nineteenth and early twentieth century, the American political system seesawed: in times of war, the presidency was dominant; in times of peace, Congress was. The permanent emergency of the Cold War created an unrelieved wartime footing in which presidents entered America into large conflicts, like the Korean War and the Vietnam War, without a formal congressional declaration. The emergence of nuclear weapons further centralized power in the hands of the president. Under the nuclear deterrence theory that America adopted in the 1950s, a president had to be prepared to launch an attack immediately, which meant no time to consult Congress. The consequence, as the historian Arthur Schlesinger, Jr. wrote in his classic study *The Imperial Presidency* (1973), was "the all-purpose invocation of 'national security,' the insistence on executive secrecy, the withholding of information from Congress, the refusal to spend funds appropriated by Congress, the attempted intimidation of the press, the use of the White House as a base for espionage and sabotage directed against the political opposition—all signified the extension of the imperial presidency from foreign to domestic affairs." The end result was "by the early 1970s the American President had become on issues of war and peace the most absolute monarch (with the possible exception of Mao Tse-tung of China) among the great powers of the world." Schlesinger was writing during the Watergate scandal. The Nixon presidency was both the height of the Imperial Presidency and also the beginning of its decline, at least for a few years. In the wake of Nixon's abuses, Congress pushed back. In 1973, over Nixon's veto, Congress passed the War Powers Resolution, which limited a president's war-making ability, requiring the White House to notify Congress about the use of force and forbidding deployment beyond 90 days without a congressional authorization for use of military force. Other measures of the period include The Congressional Budget and Impoundment Control Act (1974) which reasserted congressional control of spending. Writing in *The Wilson Quarterly* in 2002, Donald R. Wolfensberger, then director of the Congress Project at the Wilson Center, listed other examples of Congress rolling back the Imperial Presidency: The Federal Election Campaign Act of 1974 was supposed to eliminate the taint of big money from presidential politics. Subsequent years witnessed a spate of other statutes designed to right the balance between the branches. The National Emergencies Act (1976) abolished scores of existing presidential emergency powers. The Ethics in Government Act (1978) authorized, among other things, the appointment of special prosecutors to investigate high-ranking executive branch officials. The Senate, in 1976, and the House, in 1977, established intelligence committees in the wake of hearings in 1975 revealing widespread abuses; and in 1980 the Intelligence Oversight Act increased Congress's monitoring demands on intelligence agencies and their covert operations. As Wolfensberger noted, these restraints on the Imperial Presidency were only partial and often ineffectual, as post-Nixon presidents found ways to work around them. The Reagan administration, with the pretext of a renewed Cold War, tried to undermine congressional limits on aid to the Contras by using funds from secret arms sales to Iran. President George H. W. Bush tried to finesse the issue by getting congressional authorization for the Gulf War, but also saying that it wasn't necessary. President Bill Clinton



bombed Kosovo with support from a Senate resolution that failed in the House of Representatives. Whatever limits there might have been on presidential power ended with 9/11. After President George W. Bush delivered a stirring speech in the weeks after the attack, presidential historian Michael Beschloss cheered on television that “the imperial presidency is back. We just saw it.” Under the auspices of the unitary executive theory promulgated by Vice President Dick Cheney, the U.S. entered the era of warrantless wireless searches, the kidnapping and torture of terrorist suspects held indefinitely in secret prisons, and an undefined and undeclared global war on terror. While President Barack Obama might have tried to bring some semblance of legality to Bush’s expansion of presidential power, there was no real curtailment of it. Instead, with his use of drones and assassination of Osama Bin Laden, Obama’s goal was to act as a more efficient and focused Imperial President. As Alex Emmons noted earlier this year in *The Intercept*, Obama left behind a presidency with vast, unchecked powers that could easily be abused by Trump. “President Obama has spent much of his time as commander in chief expanding his own military power, while convincing courts not to limit his detention, surveillance, and assassination capabilities,” Emmons wrote. “Most of the new constraints on the security state during the Obama years were self-imposed, and could easily be revoked.” Trump is not just the heir to the Imperial Presidency; he represents a new crisis of it. His blatant incompetence and instability demonstrates the dangers of investing so much power in the hands of one person. At the heart of the Imperial Presidency is the “thermonuclear monarchy” enjoyed by the president, who has the ability to launch a nuclear war at will. Writing in *Politico Magazine* on Friday, Garrett Graff outlined how it works: “That the president has almost unlimited and instantaneous authority to push the [nuclear] button. It’s undoubtedly the most powerful unilateral action that a commander in chief can take. Whereas there are careful multi-branch checks on most presidential powers, over many decades the U.S. carefully honed its nuclear launch procedures to strip away any check or balance that could delay or stymie a launch.” The journal *Scientific American* has just published an editorial in its August issue, calling for an end to the the president having sole power over nuclear weapons: With the exception of the president, every link in the U.S. nuclear decision chain has protections against poor judgments, deliberate misuse or accidental deployment. The “two-person rule,” in place since World War II, requires that the actual order to launch be sent to two separate people. Each one has to decode and authenticate the message before taking action. In addition, anyone with nuclear weapons duties, in any branch of service, must routinely pass a Pentagon-mandated evaluation called the Personnel Reliability Program—a battery of tests that assess several areas, including mental fitness, financial history, and physical and emotional well-being. There is no comparable restraint on the president. He or she can decide to trigger a thermonuclear Armageddon without consulting anyone at all and never has to demonstrate mental fitness. This must change. We need to ensure at least some deliberation before the chief executive can act. One alternative to the thermonuclear monarchy is to require the president to have the support of high-ranking members of Congress before he can call for nuclear strikes. Graff suggested that America consider “whether our nuclear command system should include a second voice, either from the vice president, the secretary of defense or a congressional leader.” In this new system, there would be a “two-person rule” from the top of the chain of command to the bottom. An order to launch an attack would require the authorization of the president and a second person. Making that person the speaker of the House would be more in keeping with the original balance of the Constitution, restoring to Congress a say in war-making decisions. Stripping Trump of sole control of nuclear weapons should be part of a larger rollback of the Imperial Presidency, one that could take lessons from the laws enacted by Congress in the 1970s and indeed go even further. Beyond nuclear weapons, the heart of the current Imperial Presidency is Authorization for Use of Military Force that Congress passed three days after the 9/11 attack. The AUMF is the blank check that allows U.S. presidents to wage an endless global war on terror, a war without border and without any foreseeable conclusion.

Democratic Representative Barbara Lee has been waging a lonely battle against the AUMF, calling for its repeal. Trump's unstable behavior should worry all of Congress, both Republican and Democrats. He often blurts out threats—sometimes, as in the case of his rant about North Korea, saying things that are contradicted by his own secretary of state and secretary of defense. Trump's erratic actions show how dangerous the Imperial Presidency can be when the president is a madman. The power he enjoys is far beyond what any one person should have in a democracy. The remedies for Trump have to be institutional rather than just personal. It's not enough for Trump to be impeached and removed; Congress must address the fact that the presidency has too much foreign policy power. The thermonuclear monarchy must end, the AUMF should be repealed, the drone program should only continue with congressional approval, and the NSA surveillance program should be tightly monitored by Congress. The courts are doing their part to check the White House. It's time the other co-equal branch of the government do the same, and put an end to the Imperial Presidency for good.

### **Restricting the Executive's powers through NFU helps set a precedent to strengthen Congress**

Elaine Scarry 2014. Harvard Professor. 2014. Thermonuclear Monarchy: Choosing between Democracy and Doom. 1st ed., W. W. Norton & Company. p 32.

Second, once Congress was stripped of its responsibility for overseeing war – as happened the moment atomic weapons were invented – it was, in effect, infantilized. Deprived of its most weighty and arduous burden, it lost the very work that had given it its gravity as an institution. Though its members still convened in an august building, their capacity to deliberate about military and nonmilitary matters gradually deteriorated, as did their sense of obligation to the people of the nation. Now, six decades later, book after book has appeared describing Congress as “dysfunctional” or “dead.” Once Congress regains its authority over war, however, there is every reason to believe that it will travel back along the reverse path, reacquainting the stature, intelligence, eloquence, and commitment to the population it once had. In the chapter ahead, we look at the nature of congressional debate in the country's five constitutionally declared wars – the War of 1812, the Mexican-American War of 1846, the Spanish-American War of 1898, World War I and World War II – deliberations in which the full stature of the assembly comes clearly into view. The high quality of congressional analysis contrasts sharply with the low quality of debate carried out in secret presidential deliberations about whether to drop the atomic bomb in the Taiwan straits in 1954 and on East Germany in 1959.

### **It is dangerous for the President to have a nuclear blank check**

Tom Z. Collina 2018 . Director of policy for Ploughshares Fund, a public grantmaking foundation that supports initiatives to prevent the spread and use of nuclear weapons, and to prevent conflicts that could lead to their use. 11-9-2018. "Dem-led House can return sanity to nuclear weapons debate." The Hill. <https://thehill.com/opinion/national-security/415923-dem-led-house-can-return-sanity-to-nuclear-weapons-debate>

Since the election of President Donald Trump two years ago, advocates of sane nuclear policy have been faced with a serious deficit of enlightened political leadership in key positions of power. President Trump has called for new and more “usable” nuclear weapons, is seeking to abandon key arms control agreements, and Congress has been plowing ahead with a \$2 trillion shopping spree to rebuild the Cold War nuclear arsenal. There has been essentially no effective check on this excessive and dangerous spending. As of Tuesday night, that will change in January when Democrats take over the House. Without real oversight, pro-nuclear bomb enthusiasts have had a free hand to promote Trump's new “low-yield” warhead for Trident missiles; to undermine crucial international agreements like the Intermediate-Range Nuclear Forces (INF) Treaty; and to push for high-cost missile, submarine and bomber programs that we

do not need. Once these programs get off the ground, they become too big to stop. If we don't act soon, we will be locked in to an excessive Cold War-style arsenal for the next 50 years. As new U.S. weapons are built, and Russia responds in kind, we will find ourselves back in an arms race that only defense contractors can win. But now there is hope on the horizon. The elections have brought new leaders into power who share the widespread conviction that the United States has more nuclear weapons than it needs to be secure and that spending less on nukes can actually make us safer. Rep. Adam Smith (D-Wash.) is poised to be the next chairman of the House Armed Services Committee. Rep. Smith has been a leading voice calling for saner nuclear policies for years and shows no signs of letting up. Speaking at a conference in September, Smith said that, if he gets the gavel, nuclear weapons policy would be at the top of his list of things that will change. "I think the Republican party and the nuclear posture review contemplates a lot more nuclear weapons than I — and I think most Democrats — think we need. We also think the idea of low-yield nuclear weapons are extremely problematic going forward," Smith said. "When we look at the larger budget picture, that's not the best place to spend the money." Smith added that the expected price tag for building new nuclear weapons meant the U.S. "certainly can't afford it." When Smith becomes the committee's next chairman in January, proponents of nuclear sanity can once again start to think big. In addition to cancelling the "low-yield" and dangerous Trident warhead, Smith may seek to cancel the destabilizing \$30 billion nuclear air-launched cruise missile, which he has said would "siphon limited resources from preserving nuclear deterrence without adding to our national security." Next, he could take on the wasteful and dangerous \$200 billion program to build new ground-based nuclear missiles. Cancelling this weapon would help to reduce the risk of the United States accidentally or mistakenly launching its nuclear missiles in response to a false warning of a nuclear attack. Finally, there is greater public concern than ever that President Trump cannot be trusted with his absolute and sole authority to launch nuclear weapons. Most Americans do not realize that the president has unlimited nuclear launch authority with no real checks or balances from anyone. But once informed, they are very concerned. President Trump could order a nuclear war as easily as he could send a tweet. This situation is both dangerous and unnecessary. The risks of having nuclear weapons ready to launch within minutes outweigh any perceived benefits, especially if the sole decision-maker cannot be trusted. Rep. Smith has introduced a bill to make it U.S. policy to never launch nuclear weapons first in a conflict. Other bills would prohibit the first use of nuclear weapons without congressional approval. These fixes would put legal limits on the president's ability to launch nuclear weapons unilaterally, without provocation, and would provide a tremendous safeguard to our democracy and our national security. Congress has been a blank check for the forces of nuclear overkill and overspending for far too long. It is time to bring bold, principled leadership back to nuclear policy, before it is too late.

### **Nuclear weapons are the key to Presidential abuses of power**

Anna Mulrine & Gary Willis 2010. Mulrine is with the US News Digital Weekly; Willis is the Pulitzer Prize-winning author of "Bomb Power: The Modern Presidency and the National Security State." US News and World Report. <https://www.usnews.com/opinion/articles/2010/02/25/nuclear-warfare-and-the-american-presidency>

GARY WILLIS: The invention of the nuclear bomb was a scientific triumph, but it also marked the beginning of an increasingly imperial American presidency that has subverted the Constitution and kept secrets from citizens. It has worked not to protect national security but to retain power. So argues Pulitzer Prize-winning author Garry Wills in his new book, Bomb Power: The Modern Presidency and the National Security State. He recently spoke with U.S. News about the legacy of the Manhattan Project, how Nikita Khrushchev was actually the rational actor in the Cuban missile crisis, and why President Obama has continued the secret practices

of the Bush administration, such as the option of extraordinary rendition and not releasing torture photos.

ANNA MULRINE: You argue that the bomb dramatically increased presidential power. How so?

GARY WILLIS: Normally, after a war there's a rush to demobilize and reconvert industries, bring the boys home, end it all, and that didn't happen after World War II because now we had this great big secret that we had to not only protect but to develop and to deploy. The people at Los Alamos instantly went to work creating better bombs. Of course, then they were put in bombers and kept the bombs flying in the air for 24 hours to drop anywhere in the world where we felt endangered. And we started developing bases and friendly governments that would receive us when we had to land and be refueled and be repaired. This air of crisis took over. And this initial grant to the president--which went against everything in the Constitution--that he alone would have the power to initiate nuclear war with no oversight from Congress, the courts, anyone ... was quickly extended when Truman went into Korea.

ANNA MULRINE: How has the model for the Manhattan Project led to executive branch unaccountability?

GARY WILLIS: The model of the Manhattan Project was unaccountable money and no accountability to Congress, since it was outside not only congressional knowledge and political authorization but the military chain of command. Now the best example of that is that in the 1960s, people decided that the Presidential Succession Act--in which if the ... government was killed by attacking the president or vice president, then there would be a succession to speaker of the House and to other members of the cabinet--wouldn't work in case of nuclear attack. They said, "The speaker of the House doesn't know how to [respond]. It's a very complicated process." So a group of cabinet and White House staffers was called and told in the middle of the night to go to an undisclosed location, and there they practiced how to respond to a nuclear attack. Now that actually happened when the twin towers were attacked. [Dick] Cheney had gone through that drill of instantaneous response without talking to Congress or anybody. He was told that there were more planes with terrorists aboard, and he scrambled Air Force jets to shoot down the planes. He did it on his own with no consultation with the president. We had not been decapitated, and it wasn't a nuclear attack. But his attitude, according to people around him, was "They're flying. We've got to reach them before they reach their target. I haven't got time to talk to the president." Afterwards he did tell the president, but not before.

ANNA MULRINE: What are the implications of this?

GARY WILLIS: Well, uncontrollable power. No one knows--not even the president, not the Congress, not the courts, nor the military. It was outside the military chain of command. This power of instantaneous war is so established now that it leaks out in all of our war attitudes.

### **The risk of nuclear war is high – and nuclear war could lead to extinction**

Peter Hayes 2018, PhD from Berkeley, Director of the Nautilus Institute and Honorary Professor at the Centre for International Security Studies at the University of Sydney, "NON-STATE TERRORISM AND INADVERTENT NUCLEAR WAR", NAPSNet Special Reports, January 18, 2018, <https://nautilus.org/napsnet/napsnet-special-reports/non-state-terrorism-and-inadvertent-nuclear-war/>

Nuclear terrorism post-cold war: trigger for inadvertent nuclear war? The possible catalytic effect of nuclear terrorism on the risk of state-based nuclear war is not a simple linkage. The multiple types and scales of nuclear terrorism may affect state-nuclear use decisions along multiple pathways that lead to inadvertent nuclear war. These include: Early warning systems fail or are "tripped" in ways that lead to launch-on-warning Accidental nuclear detonation, including sub-critical explosions. Strategic miscalculation in crisis, show of force Decision-making failure (such as irrational, misperception, bias, degraded, group, and time-compressed decision-making) Allied or enemy choices (to seek revenge, to exploit nuclear risk, to act out of desperation) Organizational cybernetics whereby a nuclear command-control-and communications (NC3) system generates error, including the interplay of national NC3 systems in what may be termed

the meta-NC3 system. Synchronous and coincident combinations of above.[4] Exactly how, where, and when nuclear terrorism may “ambush” nuclear armed states already heading for or on such a path to inadvertent nuclear war depends on who is targeting whom at a given time, either immediately due to high tension, or generally due to a structural conflict between states. Nuclear armed states today form a complex set of global threat relationships that are not distributed uniformly across the face of Earth. Rather, based on sheer firepower and reach, the nine nuclear weapons states form a global hierarchy with at least four tiers, viz: Tier 1: United States, clear technological supremacy and qualitative edge. Tier 2: Russia, China, global nuclear powers and peers with the United States due to the unique destructive power of even relatively small nuclear arsenals, combined with global reach of missile and bomber delivery systems, thereby constituting a two-tiered global “nuclear triangle” with the United States. Tier 3: France, UK, NATO nuclear sharing and delivery NATO members (Belgium, Germany, Italy, the Netherlands and Turkey) and the NATO and Pacific nuclear umbrella states (Japan, South Korea, Australia) that depend on American nuclear extended deterrence and directly and indirectly support US and US-allied nuclear operations even though they do not host nor deliver nuclear weapons themselves. Tier 4: India, Pakistan, Israel, DPRK. The first two tiers constitute the global nuclear threat triangle that exists between the United States, Russia, and China, forming a global nuclear “truel.” Each of these states targets the others; each represents an existential threat to the other; and each has a long history of mutual nuclear threat that is now a core element of their strategic identity. Tier three consists of states with their own nuclear force but integrated with that of the United States (even France!) that expand the zone of mutual nuclear threat over much of the northern and even parts of the southern hemisphere; and states that host American nuclear command, control, communications, and intelligence systems that support US nuclear operations and to whom nuclear deterrence is “extended” (if, for example, Australia’s claim to having an American nuclear umbrella is believed). The fourth tier is composed of smaller nuclear forces with a primarily regional reach and focus. Between most of these nuclear armed states and across the tiers, there are few shared “rules of the road.” The more of these states that are engaged in a specific conflict and location, the more unpredictable and unstable this global nuclear threat system becomes, with the potential for cascading and concatenating effects. Indeed, as the number of nuclear states projecting nuclear threat against each other increases, the notion of strategic stability may lose all meaning. The emergence of a fifth tier—of non-state actors with the capacity to project nuclear threat against nuclear-armed and nuclear umbrella states (although not only these states)—is a critically important possible catalytic actor in the new conditions of nuclear threat complexity that already exist today. Such a layer represents an “edge of chaos” where the attempts by nuclear armed states to exert absolute “vertical” control over the use of nuclear weapons confront the potential of non-state entities and even individuals (insiders) to engage in “horizontal” nuclear terrorism, presenting radically different control imperatives to the standard paradigm of organizational procedures, technical measures, and safeguards of various kinds. This tier is like the waves and tides on a beach that quickly surrounds and then causes sand castles to collapse. In 2010, Robert Ayson reviewed the potential linkages between inter-state nuclear war and non-state terrorism. He concluded: “...[T]hese two nuclear worlds—a non-state actor nuclear attack and a catastrophic interstate nuclear exchange—are not necessarily separable. It is just possible that some sort of terrorist attack, and especially an act of nuclear terrorism, could precipitate a chain of events leading to a massive exchange of nuclear weapons between two or more of the states that possess them.”[5] How this linkage might unfold is the subject of the next sections of this essay. Are non-state actors motivated and able to attempt nuclear terrorism? A diverse set of non-state actors have engaged in terrorist activities—for which there is no simple or consensual definition. In 2011, there were more than 6,900 known extremist, terrorist and other organizations associated with guerrilla warfare, political violence, protest, organized crime and cyber-crime. Of these, about 120 terrorist and extremist groups had been blacklisted by the United Nations, the

European Union and six major countries.[6] Some have argued that the technical, organizational, and funding demanded for a successful nuclear attack, especially involving nuclear weapons, exceeds the capacity of most of the non-state actors with terrorist proclivities. Unfortunately, this assertion is not true, especially at lower levels of impact as shown in Figure 1; but even at the highest levels of obtaining authentic nuclear weapons capabilities, a small number of non-state actors already exhibit the motivation and possible capacity to become nuclear-armed. Ellingsen suggests a useful distinction that nuclear terrorists may be impelled by two divergent motivations, as shown in Figure 2, creating “opportunistic” and “patient” profiles.[7] The requirements for an opportunist non-state nuclear terrorist tend towards immediate use and the search for short-term payoffs with only tactical levels of commitment; whereas the patient non-state nuclear terrorist is able and willing to sustain a long-term acquisition effort to deal a strategic blow to an adversary in a manner that could be achieved only with nuclear weapons. In turn, many factors will drive how a potential nuclear terrorist non-state organization that obtains nuclear weapons or materials may seek to employ them, especially in its nuclear command-and-control orientations. Blair and Ackerman suggest that the goals, conditions, and capacity limitations that shape a possible nuclear terrorist’s posture lead logically to three types of nuclear terrorist nuclear command-and-control postures, viz: pre-determined (in which the leadership sends a fire order to a nuclear-armed subordinate and no change is entertained and no capacity to effect change is established in the field, that is, the order is fire-and-forget); assertive (in which only the central command can issue a nuclear fire order, central control is maintained at all times, with resulting demanding communications systems to support such control); and delegative (in which lower level commanders control nuclear weapons and have pre-delegated authority to use them in defined circumstances, for example, evidence of nuclear explosions combined with loss-of-connectivity with their central command).[8] An example of such delegative control system was the November 26, 2008 attack on Mumbai that used social media reporting to enable the attacking terrorists to respond to distant controller direction and to adapt to counter-terrorist attacks—a connectivity tactic that the authorities were too slow to shut down before mayhem was achieved.[9] Logically, one might expect nuclear terrorists oriented toward short-term, tactical goals to employ pre-determined nuclear command-and-control strategies in the hope that the speed of attack and minimum field communications avoids discovery and interdiction before the attack is complete; whereas nuclear terrorists oriented toward long-term, strategic goals might employ more pre-delegative command-and-control systems that would support a bargaining use and therefore a field capacity to deploy nuclear weapons or materials that can calibrate actual attack based on communications with the central leadership with the risk of interdiction through surveillance and counter-attack. These differing strategic motivations, timelines, and strategies in many respects invert those of nuclear weapons states that rely on large organizations, procedures, and technical controls, to ensure that nuclear weapons are never used without legitimate authorization; and if they are used, to minimize needless civilian casualties (at least some nuclear armed states aspire to this outcome). The repertoire of state-based practices that presents other states with credible nuclear threat and reassures them that nuclear weapons are secure and controlled is likely to be completely mismatched with the strengths and strategies of non-state nuclear terrorists that may seek to maximize civilian terror, are not always concerned about their own survival or even that of their families and communities-of-origin, and may be willing to take extraordinary risk combined with creativity to exploit the opportunities for attack presented by nuclear weapons, umbrella, and non-nuclear states, or their private adversaries. For non-state actors to succeed at complex engineering project such as acquiring a nuclear weapons or nuclear threat capacity demands substantial effort. Gary Ackerman specifies that to have a chance of succeeding, non-state actors with nuclear weapons aspirations must be able to demonstrate that they control substantial resources, have a safe haven in which to conduct research and development, have their own or procured expertise, are able to learn from failing

and have the stamina and strategic commitment to do so, and manifest long-term planning and ability to make rational choices on decadal timelines. He identified five such violent non-state actors who already conducted such engineering projects (see Figure 3), and also noted the important facilitating condition of a global network of expertise and hardware. Thus, although the skill, financial, and materiel requirements of a non-state nuclear weapons project present a high bar, they are certainly reachable. Figure 3: Complex engineering projects by five violent non-state actors & Khan network Source: G. Ackerman, "Comparative Analysis of VNSA Complex Engineering Efforts," *Journal of Strategic Security*, 9:1, 2016, at:

<http://scholarcommons.usf.edu/jss/vol9/iss1/10/> Along similar lines, James Forest examined the extent to which non-state actors can pose a threat of nuclear terrorism.[10] He notes that such entities face practical constraints, including expense, the obstacles to stealing many essential elements for nuclear weapons, the risk of discovery, and the difficulties of constructing and concealing such weapons. He also recognizes the strategic constraints that work against obtaining nuclear weapons, including a cost-benefit analysis, possible de-legitimation that might follow from perceived genocidal intent or use, and the primacy of political-ideological objectives over long-term projects that might lead to the group's elimination, the availability of cheaper and more effective alternatives that would be foregone by pursuit of nuclear weapons, and the risk of failure and/or discovery before successful acquisition and use occurs. In the past, almost all—but not all—non-state terrorist groups appeared to be restrained by a combination of high practical and strategic constraints, plus their own cost-benefit analysis of the opportunity costs of pursuing nuclear weapons. However, should some or all of these constraints diminish, a rapid non-state nuclear proliferation is possible. Although only a few non-state actors such as Al Qaeda and Islamic State have exhibited such underlying stamina and organizational capacities and actually attempted to obtain nuclear weapons-related skills, hardware, and materials, the past is not prologue. An incredibly diverse set of variously motivated terrorist groups exist already, including politico-ideological, apocalyptic-millenarian, politico-religious, nationalist-separatist, ecological, and political-insurgency entities, some of which converge with criminal-military and criminal-scientist (profit based) networks; but also psycho-pathological mass killing cults, lone wolves, and ephemeral copy-cat non-state actors. The social, economic, and deculturating conditions that generate such entities are likely to persist and even expand. In particular, rapidly growing coastal mega-cities as part of rapid global urbanization offer such actors the ability to sustain themselves as "flow gatekeepers," possibly in alliance with global criminal networks, thereby supplanting the highland origins of many of today's non-state violent actors with global reach.[11] Other contributing factors contributing to the supply of possible non-state actors seeking nuclear weapons include new entries such as city states in search of new security strategies, megacities creating their own transnationally active security forces, non-states with partial or complete territorial control such as Taiwan and various micro-states, failing states, provinces in dissociating, failing states that fall victim to internal chaos and the displacement effects of untrammelled globalization, and altogether failed states resulting in ungoverned spaces. To this must be added domestic terrorist entities in the advanced industrial states as they hollow out their economies due to economic globalization and restructuring, adjust to cross-border migration, and adapt to cultural and political dislocation. In short, the prognosis is for the fifth tier of non-state actors to beset the other four tiers with intense turbulence just as waves on a beach swirl around sandcastles, washing away their foundations, causing grains of sand to cascade, and eventually collapsing the whole structure. Observed non-state nuclear threats and attacks In light of the constraints faced by non-state terrorist actors in past decades, it is not surprising that the constellation of actual nuclear terrorist attacks and threats has been relatively limited during and since the end of the Cold War. As Martha Crenshaw noted in a comment on the draft of this paper: We still don't know why terrorists (in the sense of non-state actors) have not moved into the CBRN [chemical, biological, radiological or nuclear ] domain. (Many people think biosecurity is more critical, for that matter.) Such a

move would be extremely risky for the terrorist actor, even if the group possessed both capability (resources, secure space, time, patience) and motivation (willingness to expend the effort, considering opportunity costs). So far it appears that “conventional” terrorism serves their purposes well enough. Most of what we have seen is rhetoric, with some scattered and not always energetic initiatives.[12] Nonetheless, those that have occurred demonstrate unambiguously that such threats and attacks are not merely hypothetical, in spite of the limiting conditions outlined above. One survey documented eighty actual, planned attacks on nuclear facilities containing nuclear materials between 1961-2016[13] as follows: 80 attacks in 3 waves (1970s armed assaults, 1990s thefts, post-2010, breaches) High threat attacks: 32/80 attacks posed substantial, verified threat of which 44 percent involved insiders. All types of targets were found in the data set—on reactors, other nuclear facilities, military bases leading Gary Ackerman and to conclude: “Overall, empirical evidence suggests that there are sufficient cases in each of the listed categories that no type of threat can be ignored.”[14] No region was immune; no year was without such a threat or attack. Thus, there is a likely to be a coincidence of future non-state threats and attacks with inter-state nuclear-prone conflicts, as in the past, and possibly more so given the current trend in and the generative conditions for global terrorist activity that will likely pertain in the coming decades. Of these attacks, about a quarter each were ethno-nationalist, secular utopian, or unknown in motivation; and the remaining quarter were a motley mix of religious (11 percent), “other” (5 percent), personal-idiosyncratic (4 percent), single issue (2 percent) and state sponsored (1 percent) in motivation. The conclusion is unavoidable that there a non-state nuclear terrorist attack in the Northeast Asia region is possible. The following sections outline the possible situations in which nuclear terrorist attacks might be implicated as a trigger to interstate conflict, and even nuclear war. Particular attention is paid to the how nuclear command, control and communications systems may play an independent and unanticipated role in leading to inadvertent nuclear war, separate to the contributors to inadvertency normally included such as degradation of decision-making due to time and other pressures; accident; “wetware” (human failures), software or hardware failures; and misinterpretation of intended or unintended signals from an adversary. Regional pathways to interstate nuclear war At least five distinct nuclear-prone axes of conflict are evident in Northeast Asia. These are: US-DPRK conflict (including with United States, US allies Japan, South Korea and Australia; and all other UNC command allies. Many permutations possible ranging from non-violent collapse to implosion and civil war, inter-Korean war, slow humanitarian crisis. Of these implosion-civil war in the DPRK may be the most dangerous, followed closely by an altercation at the Joint Security Area at Panmunjon where US, ROK, and DPRK soldiers interact constantly. China-Taiwan conflict, whereby China may use nuclear weapons to overcome US forces operating in the West Pacific, either at sea, or based on US (Guam, Alaska) or US allied territory in the ROK, Japan, the Philippines, or Australia); or US uses nuclear weapons in response to Chinese attack on Taiwan. China-Japan conflict escalates via attacks on early warning systems, for example, underwater hydrophone systems (Ayson-Ball, 2011). China-Russia conflict, possibly in context of loss-of-control of Chinese nuclear forces in a regional conflict involving Taiwan or North Korea. Russia-US conflict, involving horizontal escalation from a head-on collision with Russian nuclear forces in Europe or the Middle East; or somehow starts at sea (mostly likely seems ASW) or over North Korea (some have cited risk of US missile defenses against North Korean attack as risking Russian immediate response). Combinations of or simultaneous eruption of the above conflicts that culminate in nuclear war are also possible. Other unanticipated nuclear-prone conflict axes (such as Russia-Japan) could also emerge with little warning. Precursors of such nuclear-laden conflicts in this region also exist that could lead states to the brink of nuclear war and demonstrate that nuclear war is all too possible between states in this region. Examples include the August 1958 Quemoy-Matsu crisis, in which the United States deployed nuclear weapons to Taiwan, and the US Air Force has only a nuclear defense strategy in place to defend Taiwan



should China have escalated its shelling campaign to an actual attack; the October 1962 Cuban Missile Crisis, when a US nuclear armed missile was nearly fired from Okinawa due to a false fire order; the March 1969 Chinese-Soviet military clash and resulting consideration of nuclear attacks by both sides; and the August 1976 poplar tree crisis at Panmunjon in Korea, when the United States moved nuclear weapons back to the DMZ and the White House issued pre-delegated orders to the US commander in Korea to attack North Korea if the tree cutting task force was attacked by North Korean forces. Loss-of-control of Nuclear Weapons As is well known, nuclear armed states must routinely—and in the midst of a crisis—ensure that their nuclear weapons are never used without legitimate authority, but also ensure at the same time that they are always available for immediate use with legitimate authority. This “always-never” paradox is managed in part by a set of negative and positive controls, reliant upon procedural and technical measures, to maintain legitimate state-based command-and-control (see Figure Four). Figure Four: Controls and Measures on Nuclear Weapons Use Source: Virginia Tech Applied Research Corporation, Nuclear Command, Control, and Stability Framework, December 29, 2016, at:

[https://calhoun.nps.edu/bitstream/handle/10945/48707/Nuclear%20Command%20Control%20and%20Stability%20Assessment\\_Final%20report\\_29Dec15%20rev2.pdf?sequence=1&isAllowed=y](https://calhoun.nps.edu/bitstream/handle/10945/48707/Nuclear%20Command%20Control%20and%20Stability%20Assessment_Final%20report_29Dec15%20rev2.pdf?sequence=1&isAllowed=y) In this framework, Jerry Conley has produced a taxonomy of nuclear command-and-control structures that embody varying notional national “command-and-control” orientations (also referred to as stability points or biases). Each nuclear armed state exhibits a distinct preference for technical and procedural measures to achieve negative and positive control of nuclear weapons. The way that a state constructs its control system varies depending on its size, wealth, technology, leadership, and strategic orientation, lending each state a unique use propensity affected by the information processing and transmission functions of the nuclear command-and-control system, that in part determines the use or non-use decisions made by the leaders of nuclear armed states. The resulting ideal nuclear command-and-control state structures are shown in Table 1. Table 1: Ideal Nuclear command-and-control structures

Wealthy A nuclear program that has economic resources to research, expand, and bolster itself with both experienced people and technical innovations. Poor A nuclear program that does not have sufficient economic resources to properly research, expand, and bolster itself and relies on procedures instead of technology and experience. Complex A nuclear program that has the material resources and personnel to support a wide range of controls and redundancies. Simple A nuclear program that has minimal material resources or personnel to adequately support a robust and redundant C2 structure. Centralized A nuclear program that maintains authority and control of its nuclear armament as a singular capability through a defined chain of command. Decentralized A nuclear program that distributes authority of its nuclear armament to a network of commanders or individuals who operate as independent decision makers with minimal oversight. Civilian A nuclear program that is governed by an elected, non-military government that maintains authority and control over the nuclear arsenal through a defined chain of authority. Military A nuclear program that is governed by a weak civilian government and/or the military maintains control and authority over the nuclear arsenal. Source: Virginia Tech Applied Research Corporation, Nuclear Command, Control, and Stability Framework, December 29, 2016, at:

[https://calhoun.nps.edu/bitstream/handle/10945/48707/Nuclear%20Command%20Control%20and%20Stability%20Assessment\\_Final%20report\\_29Dec15%20rev2.pdf?sequence=1&isAllowed=y](https://calhoun.nps.edu/bitstream/handle/10945/48707/Nuclear%20Command%20Control%20and%20Stability%20Assessment_Final%20report_29Dec15%20rev2.pdf?sequence=1&isAllowed=y) These ideal types are summarized with respect to the defining axes of control measure in Figure Five. Figure Five: State nuclear weapons control biases by NC3 type Note: according to dominant characteristic shown in orange circle; also, real states may exhibit more than one characteristic Source: Virginia Tech Applied Research Corporation, Nuclear Command, Control, and Stability Framework, December 29, 2016, at:

[https://calhoun.nps.edu/bitstream/handle/10945/48707/Nuclear%20Command%20Control%20and%20Stability%20Assessment\\_Final%20report\\_29Dec15%20rev2.pdf?sequence=1&isAllowed=y](https://calhoun.nps.edu/bitstream/handle/10945/48707/Nuclear%20Command%20Control%20and%20Stability%20Assessment_Final%20report_29Dec15%20rev2.pdf?sequence=1&isAllowed=y)

nd%20Stability%20Assessment\_Final%20report\_29Dec15%20rev2.pdf?sequence=1&isAllowed=y In Northeast Asia, a four-way nuclear threat system exists that has a three world-class nuclear armed states, the United States, Russia and China, interacting with a fourth tier, barely nuclear armed state, the DPRK. In this quadrilateral nuclear standoff, the DPRK's simple NC3 system likely is an amalgam of a poorly resourced, militarized, and personalized leadership—which may lead it to oscillate between procedural and technical measures as the basis of control, with a primary emphasis on positive use control, not negative control to avoid unauthorized use. China's large, centralized NC3 system co-mingles nuclear and conventional communications between national commanders and deployed nuclear forces and may emphasize negative more than positive use controls to ensure Party control. Russia's highly centralized, complex NC3 system relies on legacy technology and limited economic base for modernization. It too may be more oriented towards negative controls in peacetime, but have the capacity to spring almost instantly to primary reliance on positive controls in times of crisis or tension. The US NC3 system is large, complex and based on wealth and technological prowess. It is under civilian, not military control, at least in principle and in peacetime, and is redundant, diverse, and relatively resilient. Non-state nuclear attack as trigger of inter-state nuclear war in Northeast Asia The critical issue is how a nuclear terrorist attack may “catalyze” inter-state nuclear war, especially the NC3 systems that inform and partly determine how leaders respond to nuclear threat. Current conditions in Northeast Asia suggest that multiple precursory conditions for nuclear terrorism already exist or exist in nascent form. In Japan, for example, low-level, individual, terroristic violence with nuclear materials, against nuclear facilities, is real. In all countries of the region, the risk of diversion of nuclear material is real, although the risk is likely higher due to volume and laxity of security in some countries of the region than in others. In all countries, the risk of an insider “sleeper” threat is real in security and nuclear agencies, and such insiders already operated in actual terrorist organizations. Insider corruption is also observable in nuclear fuel cycle agencies in all countries of the region. The threat of extortion to induce insider cooperation is also real in all countries. The possibility of a cult attempting to build and buy nuclear weapons is real and has already occurred in the region.[15] Cyber-terrorism against nuclear reactors is real and such attacks have already taken place in South Korea (although it remains difficult to attribute the source of the attacks with certainty). The stand-off ballistic and drone threat to nuclear weapons and fuel cycle facilities is real in the region, including from non-state actors, some of whom have already adopted and used such technology almost instantly from when it becomes accessible (for example, drones).[16] Two other broad risk factors are also present in the region. The social and political conditions for extreme ethnic and xenophobic nationalism are emerging in China, Korea, Japan, and Russia. Although there has been no risk of attack on or loss of control over nuclear weapons since their removal from Japan in 1972 and from South Korea in 1991, this risk continues to exist in North Korea, China, and Russia, and to the extent that they are deployed on aircraft and ships of these and other nuclear weapons states (including submarines) deployed in the region's high seas, also outside their territorial borders. The most conducive circumstance for catalysis to occur due to a nuclear terrorist attack might involve the following nexi of timing and conditions: Low-level, tactical, or random individual terrorist attacks for whatever reasons, even assassination of national leaders, up to and including dirty radiological bomb attacks, that overlap with inter-state crisis dynamics in ways that affect state decisions to threaten with or to use nuclear weapons. This might be undertaken by an opportunist nuclear terrorist entity in search of rapid and high political impact. Attacks on major national or international events in each country to maximize terror and to delegitimize national leaders and whole governments. In Japan, for example, more than ten heads of state and senior ministerial international meetings are held each year. For the strategic nuclear terrorist, patiently acquiring higher level nuclear threat capabilities for such attacks and then staging them to maximum effect could accrue strategic gains. Attacks or threatened attacks, including deception and disguised attacks, will have maximum leverage when nuclear-

armed states are near or on the brink of war or during a national crisis (such as Fukushima), when intelligence agencies, national leaders, facility operators, surveillance and policing agencies, and first responders are already maximally committed and over-extended. At this point, we note an important caveat to the original concept of catalytic nuclear war as it might pertain to nuclear terrorist threats or attacks. Although an attack might be disguised so that it is attributed to a nuclear-armed state, or a ruse might be undertaken to threaten such attacks by deception, in reality a catalytic strike by a nuclear weapons state in conditions of mutual vulnerability to nuclear retaliation for such a strike from other nuclear armed states would be highly irrational. Accordingly, the effect of nuclear terrorism involving a nuclear detonation or major radiological release may not of itself be catalytic of nuclear war—at least not intentionally—because it will not lead directly to the destruction of a targeted nuclear-armed state. Rather, it may be catalytic of non-nuclear war between states, especially if the non-state actor turns out to be aligned with or sponsored by a state (in many Japanese minds, the natural candidate for the perpetrator of such an attack is the pro-North Korean General Association of Korean Residents, often called Chosen Soren, which represents many of the otherwise stateless Koreans who were born and live in Japan) and a further sequence of coincident events is necessary to drive escalation to the point of nuclear first use by a state. Also, the catalyst—the non-state actor—is almost assured of discovery and destruction either during the attack itself (if it takes the form of a nuclear suicide attack then self-immolation is assured) or as a result of a search-and-destroy campaign from the targeted state (unless the targeted government is annihilated by the initial terrorist nuclear attack). It follows that the effects of a non-state nuclear attack may be characterized better as a trigger effect, bringing about a cascade of nuclear use decisions within NC3 systems that shift each state increasingly away from nuclear non-use and increasingly towards nuclear use by releasing negative controls and enhancing positive controls in multiple action-reaction escalation spirals (depending on how many nuclear armed states are party to an inter-state conflict that is already underway at the time of the non-state nuclear attack); and/or by inducing concatenating nuclear attacks across geographically proximate nuclear weapons forces of states already caught in the crossfire of nuclear threat or attacks of their own making before a nuclear terrorist attack.[17] An example of a cascading effect would be a non-state attack on a key node of linked early warning systems that is unique to and critical for strategic nuclear forces to be employable, or the effect of multiple, coincident and erroneous sensor alerts of incoming attacks (as occurred during the Cuban Missile Crisis with radar in Florida monitoring Soviet missiles in Cuba that mistakenly fused an erroneous reading of a missile trajectory with a real observation of a Soviet satellite that happened to be passing overhead). An example of a concatenating effect would an attack that leads a nuclear weapons state to target two other states forces because it cannot determine whose forces attacked its own. This circumstance might arise if key anti-submarine forces or an aircraft carrier battle group were attacked and it was impossible to determine in a given waterway or area of ocean whose submarines were present or responsible for the attack, leading the attacked state to destroy all the submarines presenting on-going threat to its strategic forces. As we noted above, a terrorist nuclear shock may take various forms and appear in different places. Ever since an extortion attempt in Boston in 1974 based on the threat of nuclear detonation, the threat of an improvised nuclear device has been credible. For such a threat to be credible, a non-state terrorist entity must release a plausible precursor such as nuclear material or warhead design information, or stage an actual demonstration attack that makes it plausible that the attacker controls a significant quantity of fissile material (most likely plutonium, or simply radioactive materials suitable for a radiological device that might be used to draw in first responders and then detonate a warhead to maximize damage and terror). Such an attack might be combined with a separate attack on critical infrastructure such as a cyberattack. The attacker might retain sufficient material for bargaining and insurance should the initial attack fail. Given the need to adapt to circumstances, such an attacker is likely to be patient and strategic, in the terms

defined earlier, and to have extensive organizational and communication capacities; and to be able to operate at multiple targeted sites, possibly in multiple countries. Given its patience and stamina, such an attacker would select a highly symbolic target such as a high level meeting. Such a case would present the targeted state with an exquisite dilemma: bargaining and negotiation with the non-state actor threatening such an attack may be justified given the explicit and plausible nature of the threat, which may be politically impossible while making counter-terrorism operations very risky and only possible with extreme caution. And, such an attacker might well issue a false statement about state-sponsorship to invoke third parties in ways that vastly complicate the response to the threat. If the attacker is less capable and driven for immediate political or other returns, then it may be satisfied with highly delegated delivery with no recall option, and no use of communications to minimize the risk of discovery or interdiction. Such an attacker is also less likely to wait for the circumstances in which inter-state nuclear war is more likely due to inter-state tension; and also less likely to seek third party effects beyond the damage to the immediate target and resulting terror. Should surveillance indicate that an improvised nuclear device is in motion, then an all-out search to interdict the attackers and to retrieve the device or materials would likely ensue. In these two instances of credible threat of non-state nuclear attack, the insider versus outsider perpetrator factor will affect significantly how the attack affects possible inter-state conflicts. In Kobe's terms, if the perpetrator is confirmed to be an outsider, then a country-of-origin suspicion matrix may cast suspicion onto another state as possible sponsor. For an attack threatened in China, the linkage might be back to Russia, the United States, or North Korea. For an attack threatened in Russia, the linkage might be back to the United States, China, or North Korea. For an attack threatened in North Korea, the linkage might be back to the United States, China, or Russia. And for an attack threatened in one of the umbrella states in the region, South Korea and Japan, such an attack might be linked to each other, as well as to China, North Korea, or Russia. In each case, the shadow of suspicion and possible accusations could tilt decision-making processes in one or more of these states and ways that could worsen pre-existing views about the nuclear use propensity of an opposing nuclear armed state. Should an actual nuclear attack occur, the situation is even more complex and problematic. Such an attack might be purely accidental, due to hardware, software, or human error while nuclear materials or weapons are in transit. In principle, this limits the site of such an event to the nuclear weapons states or their ships and aircraft as neither South Korea nor Japan host nuclear weapons today. If an insider is involved, then the perpetrator may be identified quickly, and whether there is a linkage with another state may become evident (depending on nuclear forensics as well as insight obtained from surviving attackers). If an outsider is the perpetrator, then the suspicion matrix will come into play again, with possibly severe effects on inter-state tension due to accusation, suspicion, and fear of follow-on attacks. During the attack, especially if it is a hostage-taking type of attack, the identity of the perpetrator may be unknown or ambiguous, and maintaining this ambiguity or even opacity as to the attacker may be deliberate—as was the case with the 2008 Mumbai attack in which the controller tried to ensure that all the attackers were killed in the course of the twelve separate but coordinated attacks across the city over four days. Although much progress has been made in establishing local nuclear forensics capability in Japan,[18] China, and South Korea, there is no certainty that it is sufficiently developed to identify the perpetrator of an act of nuclear terrorism, especially if there is a state sponsor and deception involved. Conclusion We now move to our conclusion. Nuclear-armed states can place themselves on the edge of nuclear war by a combination of threatening force deployments and threat rhetoric. Statements by US and North Korea's leaders and supporting amplification by state and private media to present just such a lethal combination. Many observers have observed that the risk of war and nuclear war, in Korea and globally, have increased in the last few years—although no-one can say with authority by how much and exactly for what reasons. However, states are restrained in their actual decisions to escalate to conflict and/or nuclear war by conventional deterrence, vital

national interests, and other institutional and political restraints, both domestic and international. It is not easy, in the real world, or even in fiction, to start nuclear wars.[19] Rhetorical threats are standard fare in realist and constructivist accounts of inter-state nuclear deterrence, compellence, and reassurance, and are not cause for alarm per se. States will manage the risk in each of the threat relationships with other nuclear armed states to stay back from the brink, let alone go over it, as they have in the past. This argument was powerful and to many, persuasive during the Cold War although it does not deny the hair-raising risks taken by nuclear armed states during this period. Today, the multi-polarity of nine nuclear weapons states interacting in a four-tiered nuclear threat system means that the practice of sustaining nuclear threat and preparing for nuclear war is no longer merely complicated, but is now enormously complex in ways that may exceed the capacity of some and perhaps all states to manage, even without the emergence of a fifth tier of non-state actors to add further unpredictability to how this system works in practice. The possibility that non-state actors may attack without advance warning as to the time, place, and angle of attack presents another layer of uncertainty to this complexity as to how inter-state nuclear war may break out. That is, non-state actors with nuclear weapons or threat goals and capacities do not seek the same goals, will not use the same control systems, and will use radically different organizational procedures and systems to deliver on their threats compared with nuclear armed states. If used tactically for immediate terrorist effect, a non-state nuclear terrorist could violently attack nuclear facilities, exploiting any number of vulnerabilities in fuel cycle facility security, or use actual nuclear materials and even warheads against military or civilian targets. If a persistent, strategically oriented nuclear terrorist succeed in gaining credible nuclear threat capacities, it might take hostage one or more states or cities. If such an event coincides with already high levels of tension and even military collisions between the non-nuclear forces of nuclear armed states, then a non-state nuclear terrorist attack could impel a nuclear armed state to escalate its threat or even military actions against other states, in the belief that this targeted state may have sponsored the non-state attack, or was simply the source of the attack, whatever the declared identity of the attacking non-state entity. This outcome could trigger these states to go onto one or more of the pathways to inadvertent nuclear war, especially if the terrorist attack was on a high value and high risk nuclear facility or involved the seizure and/or use of fissile material. Some experts dismiss this possibility as so remote as to be not worth worrying about. Yet the history of nuclear terrorism globally and in the Northeast Asian region suggests otherwise. Using the sand castle metaphor, once built on the high tide line, sand castles may withstand the wind but eventually succumb to the tide once it reaches the castle—at least once, usually twice a day. Also, theories of organizational and technological failure point to the coincidence of multiple, relatively insignificant driving events that interact or accumulate in ways that lead the “metasystem” to fail, even if each individual component of a system works perfectly. Thus, the potential catalytic effect of a nuclear terrorist incident is not that it would of itself lead to a sudden inter-state nuclear war; but that at a time of crisis when alert levels are already high, when control systems on nuclear forces have already shifted from primary emphasis on negative to positive control, when decision making is already stressed, when the potential for miscalculation is already high due to shows of force indicating that first-use is nigh, when rhetorical threats promising annihilation on the one hand, or collapse of morale and weakness on the other invite countervailing threats by nuclear adversaries or their allies to gain the upper hand in the “contest of resolve,” and when organizational cybernetics may be in play such that purposeful actions are implemented differently than intended, then a terrorist nuclear attack may shift a coincident combination of some or all of these factors to a threshold level where they collectively lead to a first-use decision by one or more nuclear-armed states. If the terrorist attack is timed or happens to coincide with high levels of inter-state tension involving nuclear-armed states, then some or all of these tendencies will likely be in play anyway—precisely the concern of those who posit pathways to inadvertent nuclear war as outlined in section 2 above.

## **Without an NFU Declaration, Russian miscalculation in Europe is likely**

James Rogers 2014. Co-founder and a Senior Editor of European Geostrategy, Lecturer in European Security in the Department of Political and Strategic Studies at the Baltic Defence College in Tartu. 06-08-14. "The geopolitics of the Atlantic Alliance." European Geostrategy. <http://www.europeangeostrategy.org/2014/06/geopolitics-atlantic-alliance/>

Over recent months, not least in light of the Russian annexation of Crimea in Ukraine, many analysts have refocused on the North Atlantic Treaty Organisation (NATO), once condemned as a dying institution due to the intensification of European integration – and particularly the rise of the European Union's (EU) Common Security and Defence Policy. Other experts have become enthused by the potential of the United States (US) to 'pivot' back to Europe, even though the rise of China's military strength is far more of a strategic concern to Washington than Moscow's pitiful tantrums. Consequently, this proves a perfect moment to review the roles of NATO, the EU and the wider Euro-Atlantic community of which they both form part. The vision behind NATO was dreamt up by the geostrategist, Sir Halford Mackinder, in a 1943 article in Foreign Affairs entitled 'The Round World and the Winning of the Peace'. In this article, Mackinder described the need for a 'Midland Ocean' alliance after the Second World War to keep the peace in Europe, firstly by repressing Germany, and secondly by deterring Russia. He envisioned the US, Canada, United Kingdom (UK) and France working closely together as the four cornerstones within this alliance: Without labouring the details of that concept, let me picture it again in its three elements – a bridgehead in France, a moated aerodrome in Britain, and a reserve of trained manpower, agriculture and industries in the eastern United States and Canada. So far as war-fighting potential goes, both the United States and Canada are Atlantic countries, and since instant land warfare is in view, both the bridgehead and the moated aerodrome are essential to amphibious power. This geopolitical grouping began to gain traction in the later 1940s. The first piece was slotted in place in 1947 with the signing of the Treaty of Dunkirk, effectively a British security guarantee to protect France should the country suffer another attack from the east. One year later, in 1948, the next piece was slotted into place: London signed a defence pact with the Low Countries, called the Treaty of Brussels, bringing to fruition the Western Union Defence Organisation, placing Belgium, the Netherlands and Luxembourg under British protection. After a series of consultations between the Americans, British and Canadians in 1949, these two treaties eventually morphed into NATO – the real 'Midland Ocean' – drawing the two sides of the North Atlantic together in a mutual defence agreement, nominally under UK-US leadership. In addition, the Western European Union, a now-defunct grouping that was enveloped by the EU under the Treaty of Lisbon in 2009, was established in 1954, after the failure of the European Defence Community, to try and bind West Europeans more closely together within the Atlantic Alliance. But NATO is only part of the story; incidentally, so is the EU – a project kick-started with the Schuman Declaration of 1950 to reconcile West Germany and France after the horrors of occupation and war. What is important is that all of these institutions are, in one way or another, part of a wider geopolitical constellation enabled and underpinned by the military, industrial and financial power of the UK and US. After all, the Euro-Atlantic structures are capped by a range of mutual UK-US intelligence sharing treaties, including the BRUSA Agreement and the UKUSA Agreement, both of which predate NATO. The former was inaugurated in 1943 during the height of the Second World War, while the latter was founded in 1946. These agreements facilitated the creation of the so-called 'Five Eyes' intelligence network, recently brought to prominence by the leaks of the notorious Edward Snowden. The 'Five Eyes' includes the UK and US, along with Canada, Australia and New Zealand. Each of the five English-speaking countries takes responsibility for monitoring signals intelligence in different parts of the world, with the UK-based Government Communications Headquarters (GCHQ) and the US-based National Security Agency (NSA) operating as the hubs for the exchange and processing of knowledge and information. Other trusted nations, like Belgium, France, Denmark, the Netherlands and Norway, also gain access

to this network on an ad-hoc basis. But UK-US cooperation goes further than intelligence sharing. Although both allies had already signed up to the North Atlantic Treaty – and thus NATO's Article Five – there was nevertheless concern that, should push come to shove (for example, in the event of a general European war), one side of the Atlantic would not help the other. While the British were somewhat worried about the US commitment, some mainland European allies questioned – in the event of nuclear escalation with the Russians – whether Washington really would risk the sacrifice New York City, Chicago and Los Angeles for Amsterdam, Oslo or Paris. The US-UK Mutual Defence Agreement, signed in 1958, was one step in solving that problem. Although it did not contain any formal declaration of solidarity, Washington and London nevertheless agreed to the first step of a mutual defence pact that remains, paradoxically, even deeper than that provided by NATO. The reason for this is because the treaty began the process of binding together the UK's strategic nuclear forces with those of the US. Of course, it is well-known that the British, Canadians and Americans came to work closely with one another during the Second World War to generate a viable atomic bomb, first under the aegis of the British-led 'Tube Alloys' programme and later in the much larger American-led 'Manhattan Project'. This resulted in the 'Gadget', which was detonated over the deserts of New Mexico with a mighty flash in 1945, ushering in the 'Atomic Age' – possibly the defining moment of the twentieth century (and even, all time). After the war, however, and despite initially agreeing with the UK to continue nuclear cooperation, the US sought a nuclear monopoly, shutting London (and Ottawa) out of bilateral nuclear development through the McMahon Act of 1946. The British were furious, and set about pursuing a new atomic weapons project of their own, using the knowledge gleaned by their scientists working on the Manhattan Project during the war. The UK succeeded in developing its own 'Gadget' in 1952, unleashing it off the Australian coast, thus becoming the world's third nuclear power (Russia exploded its first device in 1949). This was followed five years later by the successful test of a British hydrogen bomb. In developing a full-scale nuclear capability, London's real objective was not only the acquisition of the means to inflict massive and unacceptable damage on any enemy. Additionally, the British were also seeking a geopolitical outcome: the UK understood that Europe was becoming an increasingly contested space in a geopolitical context, not least as the Cold War took hold and intensified. London realised that Russia's growing power, augmented by its many satellite states, annexed during the Second World War, could only be 'balanced' by drawing together the strength of the democracies on either side of the North Atlantic into one cohesive bloc. Moreover, the UK understood that by the late 1950s, better means of delivery were needed for its own nuclear weapons: the Vulcans, Victors and Valiants – the Royal AirForce's strategic bombers – were already starting to become obsolete. Russia was starting to develop powerful new ballistic missiles with intercontinental reach; and for Britain to develop an effective response by itself would be extremely costly. London looked to Washington for help. But this would require even deeper UK-US nuclear collaboration. At first, however, the US sensed an opportunity to regain its nuclear monopoly, at least within the West. The US Defence Secretary, Robert McNamara, wanted to render the UK dependent on his country's own capabilities: Washington therefore tried to force London into accepting a dual-use policy, i.e. that the US would retain a veto over Britain's capacity for deployment. The British, however, realised that this would diminish their influence, both in Washington, but particularly in relation to their European allies, meaning they wanted to hold onto their own nuclear autonomy. The opportunity for a breakthrough came with the Nassau Agreement in 1962, effectively the second step in UK-US mutual defence. After tough negotiations, and after a quiet stroll between the British Prime Minister, Harold Macmillan, and American President, John F. Kennedy, a deal was struck whereby the US would lease the UK its own delivery system – Polaris missiles – which the British would cap with their own thermonuclear warheads. These would then be carried by a new generation of Royal Navy nuclear submarines, powered by reactors modelled on American designs. Apart from the enormous cost savings for the British, the ability to fire Polaris missiles

was critical. Although any enemy with sufficiently sophisticated air surveillance systems would still be able to detect the speed and trajectory of any missiles in the event of a nuclear exchange (meaning it might realise who was firing them), it would not be able to readily determine whether the missiles were British or American in origin. That is to say, if the UK was attacked by Russia and London initiated a nuclear response, Moscow would not know whether it was being hit by the UK or the US (or both). This forced the Russians – as well as others – to factor uncertainty into their own nuclear warfighting and deterrence doctrines, making the cost of miscalculation ever greater, and the British-American ability to deter thus even stronger. In effect, it ensured that the Atlantic Alliance gained a material as well as an ideological tether, to keep the two sides together, even in the event of a European conflict in which the North American side did not really want to become involved. Today, while Polaris has been replaced by the even-more lethal Trident, the UK-US backed geopolitical constellation known as the Atlantic Alliance is very much still alive. Of course, many other European countries continue to believe that their political and economic links with Washington will ensure the Americans shall come to their aid in the event of any future hostilities, and they may be right. The US knows that European security is vital, but only London has the capability to act as the final insurance policy for other Europeans. In short, it – and only it – retains the physical capacity to ultimately oblige the US to become involved in any general European conflict. And because of Britain's close geographic proximity to mainland Europe and the fact that British geostrategy is decidedly liberal – in other words, to prevent the continent falling under a universal tyrant – the UK's intervention is practically guaranteed should a surrounding great power make a bid for European hegemony. So, due to the de-facto binding together of the British and American intelligence-gathering capabilities and nuclear deterrents, the enormous material resources of the US (and Canada) will likely always be at the disposal of the UK. Conversely, as the US continues to 'pivot' or 'rebalance' to the Indo-Pacific, for similar reasons – albeit reversed – Washington will automatically acquire the means to compel London, and by extension, other European capitals, into any conflict it may get drawn into in the Indo-Pacific. Thus, so long as the UK and US continue to cooperate with one another with intelligence gathering and sharing and nuclear deterrence, the Atlantic Alliance will retain its strategic relevance, irrespective of its geostrategic focus. If other European countries are serious about supporting the Atlantic Alliance, they would do well to increase their military spending. This will help London and Washington should the international situation turn more volatile in the twenty-first century, providing them with the means to continue to assert the Pax Atlantica and thus maintain a durable peace.

### **First use is what makes the legislative branch too weak to balance the executive**

Ed Aguilar 2018, J.D., CFPA Pennsylvania Director Adjunct Prof. of International Law (ret.), SJU, June, "Constitutional War Powers, and the First Use of Nuclear Weapons,"

[https://www.peacecoalition.org/images/Constitutional\\_War\\_Powers\\_Nuclear\\_First\\_Use\\_and\\_Legislation\\_eaa.fvh.v.3.pdf](https://www.peacecoalition.org/images/Constitutional_War_Powers_Nuclear_First_Use_and_Legislation_eaa.fvh.v.3.pdf)

The Founders of the American Republic, in the US Constitution, gave a central role to Congress in taking the United States into war. Professor Elaine Scarry of Harvard University points out that since World War II, Congressional power over war and peace has been greatly eroded. One reason is the new X factor in the balance of Executive versus Congressional power – i.e., nuclear weapons, where the President decides, a single man with the power of life or death over millions. Moreover, Presidents have used the threat of nuclear war more often than we'd like to admit. Now we have a situation where the most that Congress has ventured, from Viet Nam to the Iraq and Afghanistan Wars, and numerous expansions of those wars, has been to pass an "AUMF", a so called Authorization for Use of Military Force. In the cases of Syria, Libya, Niger, Yemen, et al., Congress has not even gone this far – not a good trend. And the 2001 "Al Qaeda AUMF" has been used to justify all these wars. Despite much discussion in the halls of Congress, no action has been taken. These sobering facts lead to the inescapable conclusion that both Deputy Defense Scty. (ret.) Brian McKeon, in his testimony before the Senate



Committee on Foreign Relations this November, and Professor Scarry are correct: that is, we need to clarify, and to pass laws to reaffirm, as the Founders intended, the power to “declare War and raise Armies” resides in the Congress. Only after, not before Congressional approval, under this reasoning, could the President launch a war of choice, and certainly, a nuclear war by means of a first strike, absent military attack by the opposing power. Now, these are not new arguments. Senator J. William Fulbright, the iconic former chairman of the Senate Committee on Foreign Relations, argued that the Democratic Johnson Administration, had exceeded its own War Powers in the steep escalation of the Vietnam War. The 1974 War Powers Act was designed to try to rectify that serious misstep, and it was a bipartisan effort. A new bipartisan effort is now needed. First, we face a current possibility of not one but two thermonuclear crises – with both Iran and North Korea. In each case, there have been threats of nuclear escalation; in the case of the Korean Peninsula, both sides have indulged in excessive rhetoric, including the unprecedented threat by the President of the United States to “destroy North Korea” if it threatens the United States; and Premier Kim Jong Un’s threats against South Korea, Japan, Guam – and the US mainland. Regarding Iran, the latter now faces threats from the US, Israel, and Saudi Arabia. Though Iran has not threatened the US with attack, it could well resume its nuclear program if pushed to the wall. All of these issues lead to a conclusion that, unless we take action, US foreign policy is seriously unravelling, and adding to destabilization, rather than to securing the peace. What will it take to right the checks and balances that the Founders built into Articles I and II, and that the postwar divide has seriously eroded? Most importantly, the understanding among the public that there really is almost no constraint on the President, under current law. We have always relied on basically trusting the person in the Oval Office not to make a colossal mistake, or error in judgment. That was never necessarily a wise assumption, and it isn’t one today. In fact, former Secretary of Defense William Perry has weighed in. Regarding the Markey-Lieu Bill, S. 200, which would restrict Presidential first nuclear use, Secretary Perry has said: “During my period as Secretary of Defense, I never confronted a situation, or could even imagine a situation, in which I would recommend that the President make a first strike with nuclear weapons— understanding that such an action, whatever the provocation, would likely bring about the end of civilization.” iv Congress has, to a significant degree, sidelined itself by abdicating its responsibility even to issue an Authorization for the Use of Force in the noted cases, let alone a real Declaration of War, in the nuclear age. Only when the Senate and the House – and this is an area where the Senate has the greatest responsibility, under Article I – have asserted their Constitutional role in the War Powers of the United States, including not rubber-stamping spending for unwise wars, will we restore the separation of powers, the greatest check and balance to restore democracy in the USA. We can’t forget that President Nixon in 1968 was elected on a promise to “end the war”, but it was only in 1974-75, when Congress cut off funding, that the Viet Nam War came to an end. We first heard about the Imperial Presidency from Senator Fulbright in the 1960’s; it was compounded at the time of Watergate. This leads to the final point. President John F. Kennedy, who thought long and hard about the dangers inherent in the Nuclear Age, said that we were under a nuclear Sword of Damocles, always poised to fall upon humanity. He proposed and won agreement with both the USSR and the United Kingdom, for the Partial Test Ban Treaty of 1963, which he signed as one of his last official acts in foreign affairs. A few years later, Lyndon Johnson’s Secretary of State Paul Warnke negotiated the SALT Treaty Which stabilized nuclear weapons. In 1972, Richard Nixon achieved the Anti-Ballistic Missile Treaty, and signed the Start I Treaty. However, by 1973, that same President was in the throes of the Watergate scandal. Depressed by Watergate, and drinking heavily, it is said that President Richard M. Nixon speculated about nuclear strikes on his enemies. Secretary of Defense James R. Schlesinger had further told the military commanders in 1973-1974, “If you get a strange order from the President, bring it to me first.” Washington Post, August 22, 1974. We also know that in October, 1973, Egypt and Syria teamed up to surprise-attack Israel. The reactions of Defense Minister Dayan, and Prime

Minister Golda Meir (who overruled Dayan's idea for a "demonstration launch" of a nuclear weapon to turn the war around), are documented by Avner Cohen, a US, Israeli-born nuclear expert. They show the intense pressures of making decisions under conditions of attack-and-defense in a heated war situation, and how different personalities react to stress and national dangers. We do not know what conditions we will find ourselves under in the coming months and years with this White House, and this State Department. We do know that leaders under siege (witness Dayan), whether under political or international pressures – may react very differently from how they would have under more normal circumstances. In the US case, both Schlesinger and Kissinger may have rescued President Nixon from some very bad decisions, had they been executed. Today, we have a number of psychological studies attempting to analyze, ponder, or predict how a personality such as President Trump's would respond to various extreme-case scenarios that might lead to a consideration of the President's powers to launch nuclear weapons unilaterally. Unfortunately, none of those crystal balls are clear. In any case, psychological, theoretical "stress tests" by themselves will not serve to prevent the launch of a nuclear weapon, or many weapons, by accident, instability, or tragic miscalculation. We need an updated national security law, for a very real, not hypothetical, national security situation today. This should be the highest priority for Congress, and we hope that Senator Casey will seriously consider co-sponsoring the Markey-Lieu legislation, on Restricting Presidential Nuclear First-Use of Nuclear Weapons, S.B. 200.

### **Legitimizing preventive war causes a Chinese attack on US missile defense**

Stephen Walt 2004, Robert and Renee Belfer Professor of International Affairs at Harvard, PhD in Political Science from UC Berkeley, October 1, "The Strategic Environment," Panel Discussion at "Preemptive Use of Force: A Reassessment," Conference held by the Fletcher Forum on International Affairs, [http://www.brookings.edu/views/papers/daalder/daalder\\_fletcher.pdf](http://www.brookings.edu/views/papers/daalder/daalder_fletcher.pdf)

Finally, as Ivo has already noted, there is this precedent problem. By declaring that preventive war is an effective policy option for us, we make it easier for others to see it as an effective policy option for them. Why can't India attack Pakistan before it develops more nuclear weapons? Why can't Turkey attack Iraqi Kurdistan to prevent the emergence of an independent state there? Why was it wrong for Serbia to take preventive action against the Kosovars, given that there was a guerilla army attacking Serbs in Kosovo, and given that the Serbs could see a long term threat to their national security if the Kosovar-Albanians got more and more politically organized and tried to secede? Why couldn't a stronger China decide that America's national missile defense program was a direct threat to their nuclear deterrent capability, and therefore decide to order a preventive commando strike against American radar sites in Alaska? Now this sounds wildly far-fetched, of course, but imagine the situation being reversed. Imagine if another country threatened our second strike capability, wouldn't we have looked for some way to prevent that from happening? Of course we would. So again, we're creating a precedent here.

### **A preemptive strike from China against the US would go nuclear**

John W. Lewis 2012, William Haas Professor of Chinese Politics, emeritus, at Stanford University, PhD from UCLA, and Xue Litai, research scholar at the Project on Peace and Cooperation in the Asian-Pacific Region at Stanford University's Center for International Security and Cooperation, "Making China's nuclear war plan," Bulletin of the Atomic Scientists September/October 2012 vol. 68 no. 5 45-65, <http://bos.sagepub.com/content/68/5/45.full>

If the CMC authorizes a missile base to launch preemptive conventional attacks on an enemy, however, the enemy and its allies could not immediately distinguish whether the missiles fired were conventional or nuclear. From their perspective, the enemy forces could justifiably launch on warning and retaliate against all the command-and-control systems and missile assets of the Chinese missile launch base and even the overall command-and-control system of the central Second Artillery headquarters. In the worst case, a self-defensive first strike by Chinese conventional missiles could end in the retaliatory destruction of many Chinese nuclear missiles and their related command-and-control systems. That disastrous outcome would force the much

smaller surviving and highly vulnerable Chinese nuclear missile units to fire their remaining missiles against the enemy's homeland. In this quite foreseeable action-reaction cycle, escalation to nuclear war could become accelerated and unavoidable. This means that the double policies could unexpectedly cause, rather than deter, a nuclear exchange.

### **The precedent of first use makes regional conflicts more volatile**

**James Steinberg 2002** – James B. Steinberg, Vice President and Director of Foreign Policy at the Brookings Institution, Michael E. O'Hanlon and Susan E. Rice, "The New National Security Strategy and Preemption", Brookings Policy Brief Series, December, <http://www.brookings.edu/research/papers/2002/12/terrorism-ohanlon>

The Dangers of Legitimizing Preemption. A final concern relates to the impact of the precedent set by the United States legitimating action that others might emulate, at the same time reducing its leverage to convince such countries not to use force. This concern is theoretical at one level, since it relates to stated doctrine as opposed to actual U.S. actions. But it is very real at another level. Today's international system is characterized by a relative infrequency of interstate war. Developing doctrines that lower the threshold for preemptive action could put that accomplishment at risk, and exacerbate regional crises already on the brink of open conflict. Of course, no country will embark suddenly on a war of aggression simply because the United States provides it with a quasi-legal justification to do so. But countries already on the brink of war, and leaning strongly towards war, might use the doctrine to justify an action they already wished to take, and the effect of the U.S. posture may make it harder for the international community in general, and the U.S. in particular, to counsel delay and diplomacy. Potential examples abound, ranging from Ethiopia and Eritrea, to China and Taiwan, to the Middle East. But perhaps the clearest case is the India-Pakistan crisis. Last spring, India was poised to attack Pakistan, given Pakistan's suspected complicity in assisting Islamic extremist terrorists who went from Pakistan into the disputed territory of Kashmir. A combination of U.S. pressure on both countries, with some last-minute caution by the leaders of Pakistan and India, narrowly averted a war that had the potential to escalate to the nuclear level once it began. Although India might have intended to limit its action to eliminating terrorist bases in Pakistan-held Kashmir and perhaps some bases inside Pakistan, nuclear-armed Pakistan might well have believed that India's intentions were to overthrow the regime in Islamabad or to eliminate its nuclear weapons capability. That situation would have further exacerbated the risks of escalation. Unfortunately, the terrorist infiltrations from Pakistan to Kashmir that did much to spark the earlier crisis appear to be resuming. Kashmir's status remains contentious, meaning that the risk of conflict remains. Should the crisis resume, a U.S. policy of preemption may provide hawks in India the added ammunition they need to justify a strike against Pakistan in the eyes of their fellow Indian decision-makers. Recently, India Finance Minister (and former Foreign Minister) Jaswant Singh welcomed the administration's new emphasis on the legitimacy of preemption. Russia's recent threats against the sovereign state of Georgia, which it accuses of harboring or at least failing to pursue Islamic extremists tied to the Chechen war, also illustrate the dangers of legitimating an easy and early recourse to preemption.

### **China's shifting to belligerent postures because of US declaratory ambiguity**

Tong Zhao 2019. Fellow Carnegie-Tsinghua Center for Global Policy. 01/02/2019. "What the United States Can Do to Stabilize Its Nuclear Relationship with China." Bulletin of the Atomic Scientists, vol. 75, no. 1, pp. 19–24.

But the world can ill-afford such deep mutual suspicions between two nuclear weapon powers, if we want to minimize the risk of a nuclear war or a nuclear arms race. Maintaining a stable nuclear relationship requires effort from both countries. But because China's nuclear-weapon strategy is primarily focused on reacting to and deterring potential US nuclear strikes, what Washington does to manage this nuclear relationship will be the most significant external factor on Beijing's nuclear thinking and policy-making. With that in mind, here are some suggestions

on what the United States can do at its end, to tone down the situation, stop things from getting out of control, and help to avoid Cold War 2.0. From my research at the Carnegie-Tsinghua Center for Global Policy, there are essentially five major elements involved if the United States is to reach this goal. The United States must: lead by doing (and demonstrate the right values); try to get a more accurate understanding of China; find a common framework for maintaining nuclear stability; start by reducing shared risks; and help China better understand US policy. Let us examine each one in turn. Lead by demonstrating the right values The United States has long been an acknowledged leader in nuclear arms control and nonproliferation. But its leadership in this area is seriously undercut by its latest Nuclear Posture Review, which failed to use this once-in-an-administration opportunity to promote these fundamental values and send the right policy signals to other countries, such as China. Most notably, this NPR reverses the previous policy of promoting nuclear arms control. It no longer de-emphasizes the role of nuclear weapons in US national security strategy, but instead does the opposite – promoting the development of new nuclear capabilities, re-emphasizing low-yield tactical nuclear weapons, abandoning the goal of making the “sole purpose” of nuclear weapons be to deter nuclear attacks, and broadening the number of non-nuclear attack scenarios which might lead to a nuclear response by the United States. The new NPR also explicitly renounces the idea of ratifying the Comprehensive Test Ban Treaty (CTBT). This renewed interest in enhancing the role of nuclear weapons effectively undoes eight-years of effort by the Obama administration to convince the experts of China and other countries that the United States is sincere in its goal of promoting nuclear arms control and ridding the world of nuclear risks. (Despite China’s suspicion of such proclaimed US intentions, the Obama administration had been making headway. Any of that progress, however, was essentially lost as a result of the policy reversal by the Trump administration.) Most troublesome, the new NPR reinforces the “peace through strength” doctrine advocated by President Trump. This policy is problematic because it sends the message that every country should feel free to pursue its own version of peace by building up its own strength. The underlying difficulty is that countries disagree about what global peace should look like, influenced by their own perceived interests and ideologies. But “peace through strength” basically calls for countries to put aside their efforts to bridge their disagreements, and instead settle issues through the accumulation of, and demonstration of, force. Unfortunately, the new Nuclear Posture Review promotes this very principle of power politics. This document states that a strong nuclear force “ensur[es] that our diplomats continue to speak from a position of strength on matters of war and peace,” and by doing so it embraces the notion that nuclear power translates into diplomatic leverage – and that the United States seeks to pursue its foreign policy goals by waving its nuclear weapons around (US Defense Department 2018 US Defense Department. 2018. Nuclear Posture Review Report. February. Washington, DC. [Google Scholar] ). This notion corresponds with the increasingly loud voices of nationalist groups within China, who believe that nuclear weapons are what will ultimately win China international respect and make other countries – especially the United States – treat China fairly and equally (Global Times 2017 Global Times. 2017. “Editorial: Df-41 Reportedly Deployed, China Will Gain More Respect.” January 24. [Google Scholar] ). Such voices will become louder and stronger as a result of the US government supporting the same viewpoint. Consequently, this view is driving domestic calls in China to greatly expand China’s nuclear arsenal – to build a nuclear force that is “commensurate to” China’s international status in the world (Global Times 2016 Global Times. 2016. “Editorial: Both China’s Defense Spending and Strategic Nuclear Capabilities Are Not Enough.” December 14. [Google Scholar] ). It also has the unfortunate consequence of promoting a cynical understanding about international politics among members of China’s security policy community: Namely, that super-powers only pay lip service to international norms and democratic values; at the end of the day, the real rule is that might makes right. This is bad news not only for managing the US-China nuclear relationship but for containing the overall bilateral geopolitical competition as well. Similarly, when the US Nuclear

Posture Review declares that “[e]nsuring our nuclear deterrent remains strong will provide the best opportunity for convincing other nuclear powers to engage in meaningful arms control initiatives,” China reads this as more evidence of the United States’ advancing foreign policy goals not by soft power that inspires and persuades – such as its leading by example in promoting universal values – but through demonstrations of hard power that coerces and compels, such as the flexing of military muscle in resolving international disputes. This approach is ultimately self-defeating for the United States, because China feels rather confident today about its capability to avoid defeat in an arms competition. Consequently, soft rather than hard power has a far better chance of convincing China to engage in meaningful arms control initiatives. Furthermore, the 2018 NPR emphasizes that the United States has the option of responding to non-nuclear strategic attacks with nuclear means – and it ensures that its definition of strategic attacks worthy of nuclear response by the United States are vague, broad-ranging, and open-ended. According to the NPR, non-nuclear strategic attacks include not only attacks on nuclear weapon systems and their enabling capabilities, but also “attacks on the U.S., allied, or partner civilian population or infrastructure.” On top of that, “the United States reserves the right to make any adjustment” about what constitutes a non-nuclear strategic attack. This deliberately undefined statement about the use of nuclear weapons, from the most advanced conventional military power in the world, makes it inevitable that some other nuclear weapons states would ask: Why shouldn’t we make more out of our nuclear weapons and relax our restraint on nuclear use, given our less-advanced conventional capabilities? This is not helpful when some Chinese experts are already asking for China to broaden its nuclear use scenarios (Qiao 2014 Qiao, L. 2014. “Why Does Russia Show Its ‘Nuclear Muscle.’ No Good Cards in Hands, Has to Show Its Trump Card.” China Space News. [Google Scholar] ). Try to get a more accurate understanding of china The Trump administration has given China the highest level of attention in the history of US nuclear posture reviews, and the 2018 NPR dedicates an entire subsection to delineating a “tailored strategy for China.” But an important part of this strategy is based on the premise that China intends to conduct “limited nuclear use” first in a conventional conflict with the United States. The problem is that there is no credible evidence to suggest that China wishes to “secure an advantage” through the limited first use of nuclear weapons in a conventional war. On the contrary, Chinese military planners seem to have incorporated the country’s unconditional no-first-use policy deeply in their military thinking, policy-making, and operational training. Admittedly, some Chinese scholars have argued for making China’s no-first-use policy conditional, but so far this is a minority view that has not been able to influence the long-standing official policy of unconditional no-first-use (Zhenqiang 2016 Zhenqiang, P. 2016. “China’s No First Use of Nuclear Weapons.” In Understanding Chinese Nuclear Thinking, edited by L. Bin and T. Zhao, 51–77. Washington, DC: Carnegie Endowment for International Peace. [Google Scholar] ). Thus, the United States appears to be accusing China of employing a “limited nuclear use” strategy that Chinese officials and mainstream experts genuinely do not endorse. For the NPR to then pledge to develop more low-yield tactical nuclear weapons to counter a hypothetical threat makes it easy for suspicious Chinese experts to conclude that the United States is merely generating an excuse to build up its nuclear warfighting capability (Xianrong and Min 2018 Xianrong, L., and Y. Min 2018. “US Will Further Enhance Nuclear Warfighting Capability.” PLA Daily. March 1. [Google Scholar] ). Find a common framework for maintaining nuclear stability The 2018 NPR conspicuously dropped the previous US commitment to maintaining strategic stability with China (and with Russia too). When the document did mention the term “strategic stability,” it clearly meant that term in the sense of effective deterrence rather than mutual vulnerability. This is a big deal for China. Chinese experts viewed the previous commitment to be a reassuring signal that Washington implicitly recognized the existence of a de facto, mutually vulnerable relationship with Beijing – and that Washington did not seek to deliberately undermine the credibility of China’s second-strike capability (the capability of China to launch an effective nuclear retaliation after being

struck first). That earlier commitment demonstrated US respect for China's key security interests, and constituted the foundation of a stable, bilateral, nuclear and security relationship. Today, Chinese anxiety about US strategic intentions has increased, as the foundation of this relationship is undermined by the conspicuous absence of the commitment that had been there before. Suspicion in China is growing over possible US aspirations for a first-strike capability against China. Such a capability could give the United States important coercive leverage in future crises. Therefore, it is highly important that Washington make every effort possible to clarify that the change in **language** does not reflect a change in policy toward China's strategic nuclear deterrent. An important issue here is the gap in the two countries' understandings about the role of the mutual assured destruction (MAD) concept. Regarding its nuclear relationship with China, the United States for a long time has been reluctant to openly equate strategic stability with MAD, but Chinese strategists have been increasingly using MAD as a model to evaluate the adequacy of China's nuclear capability and are getting used to doing so. The United States worries that acknowledging and formalizing the MAD relationship with China would potentially embolden China's conventional military aggressiveness and increase anxieties of US allies. Regardless of such US concerns, however, the concept of mutual assured destruction with China has become increasingly untenable due to the challenges created by new technologies, such as missile defense, conventional hypersonic missiles, cyberwarfare, unmanned military systems, and others. Because of their deep mutual distrust, Washington and Beijing have encountered great difficulty in agreeing on the degree of the US' missile defense impact on China's nuclear second-strike capability. Similarly, it seems very unlikely that they could have a common understanding of the impact of US conventional hypersonic weapons, or the effect of US advanced space-based sensors on satellites, or the impact of the US capability to interfere with China's nuclear command, control, and communications system with cyberweapons. It used to be easier to evaluate the existence of a relationship based upon mutual assured destruction when nuclear weapons were only vulnerable to nuclear attacks. Today, however, with a wide range of emerging non-nuclear technologies that can each threaten the survivability of nuclear weapons in one way or another, it becomes almost impossible for the two countries to agree on how much of a threat China's nuclear weapons face from the United States – and how much more Chinese nuclear capability buildup is justifiable for maintaining a credible deterrent. In an ideal scenario, these two countries would try to find a better model to replace the increasingly problematic and unsustainable MAD model, if they want to maintain strategic stability in the long run. For the near term, they need to at least jointly recognize the growing predicament facing the current MAD model and try to find mitigating measures. Efforts should focus on building basic common understandings on the impact of new technologies on nuclear stability. Using a worst-case scenario analysis in calculating the US counterforce potential or China's second-strike credibility is unhelpful, and can be seriously misleading. Clarification of new military concepts and their operational boundaries, such as left-of-launch missile defense (which seeks to use non-kinetic means – including cyberweapons – to undermine an enemy's missile launch capability), are also necessary. For both countries, putting things into perspective and avoiding exaggerated perceptions of a threat requires an open mind, along with the willingness to develop nuanced understandings about complex technical issues and each other's domestic policy environment. Start by reducing shared risks. The challenges facing a stable US-China nuclear relationship have their roots in deep and long-standing mutual distrust and cannot be resolved anytime soon. The immediate priority for the United States, then, should be to propose near-term cooperative measures that identify and reduce the emerging risks both countries share. For example, countries now face incentives to incorporate new technologies with existing nuclear systems to achieve new military advantage in the future. Possible examples include but are not limited to: arming hypersonic vehicles with nuclear warheads; using cybertechnologies to probe, infiltrate, or interfere with an enemy's nuclear command, control, and communications systems;

and applying artificial intelligence to build more autonomous, self-navigating, nuclear delivery systems. Such measures exacerbate each country's perceptions about the threat raised by the other's first strike potential. But more important, they introduce new risks to crisis stability. For example, cyberintelligence collection activity by one country against the other's nuclear command, control, and communications system during a crisis could be misinterpreted as aimed at sabotaging and undermining the latter's nuclear launch capability, thus increasing the risk of overreaction and nuclear escalation. In such a case, even if only one country develops and employs the capability of cyberinfiltration, both countries would face higher escalation risks and the subsequent consequences.<sup>1</sup> For more detailed discussion on the risks, see Zhao and Bin (2017) Zhao, T., and L. Bin. 2017. "The Underappreciated Risks of Entanglement: A Chinese Perspective." In *Entanglement: Chinese and Russian Perspectives on Non-Nuclear Weapons and Nuclear Risks*, edited by J. Acton, 47–75. Washington, DC: Carnegie Endowment for International Peace. November. [Google Scholar]. View all notes Countries won't be able to develop a real and deep appreciation of the risks of introducing these new technologies upon crisis stability until they are willing to jointly examine how these new capabilities could affect the perception and reaction of the target country – which could be accomplished through in-depth expert exchanges, and by using tools such as joint table-top exercises or simulations, at unofficial-level dialogues and exchanges. Such work needs to start now, while the thinking and the practice of introducing these new capabilities is still at a relatively early stage – and opportunities still exist for policy reconsideration and readjustment. Help china better understand US policy Serious misunderstanding by China of US' nuclear policy is another problem. Many Chinese experts view the emphasis in the United States on low-yield tactical nuclear weapons in the 2018 NPR as a US effort to make it easier to use nuclear weapons on the battlefield by deliberately lowering the threshold for nuclear use. Experts from China's Academy of Military Science believe that the US "objective is not to retaliate after being attacked with nuclear weapons, but to preemptively use nuclear weapons in a conventional war" (Xianrong and Min 2018 Xianrong, L., and Y. Min 2018. "US Will Further Enhance Nuclear Warfighting Capability." *PLA Daily*. March 1. [Google Scholar]). Such understandings are vastly different from official US policy. The 2018 NPR makes it clear that low-yield tactical nuclear weapons are aimed to deter and respond to what the NPR refers to as "limited nuclear use" by other countries (especially Russia), and are not at all for the purpose of preemptive nuclear strike in a conventional war. Furthermore, by deterring "limited nuclear use" by others, the United States seeks to make the use of nuclear weapons less likely – and therefore raise the nuclear threshold rather than to lower it. Notwithstanding the fact that the 2018 US Nuclear Posture Review makes explicit and authoritative statements on these issues, many Chinese experts still embrace genuine disagreements with their US counterparts about what the US policy means to say and seeks to achieve. Some of these disagreements are the result of a lack of thorough and careful study of US documents by Chinese experts. But in most cases, deep distrust prevents one country from developing accurate understandings about seemingly clear official policies of the other. China certainly has an important responsibility to mitigate this problem. On the other hand, the United States can help China better understand US policy too. In addition to stating what the official US policy is, US interlocutors should focus on explaining the thinking and logic behind that policy. Many Chinese experts seem to have real problems understanding why Washington claims its new policies – including building low-yield tactical weapons and broadening the role of nuclear weapons – are not driven by offensive objectives. Even if Chinese experts don't agree that these are the right policies for the US to pursue, an explanation by US interlocutors on the thinking and logic underlying US policies may help China understand why the policies would make sense from the US perspective. This would be the first step toward building confidence. In bilateral exchanges and dialogues, it would also be helpful for US officials and experts to introduce their Chinese counterparts to the domestic policy debates within the United States. By intentionally exposing Chinese experts to the diversity of

views within the US policy community, the United States can help break the simplistic and stereotypical view of the United States as a monolithic player with a clear long-term strategic plan to contain China. A more nuanced understanding in China about US domestic policy deliberations behind important nuclear policies – including debates among different schools of opinions, competing interests and priorities of diverse stakeholders, and tradeoffs among various policy options – can help China develop confidence in the stated objectives of the US policy. While it may seem to US citizens that such dissensions in the United States are already easily apparent and openly displayed in public for everyone to see, they forget that many experts in China find it challenging to closely follow US policy discussions that take place in a foreign language, and that are not always easy for them to access. Consequently, a bitter and vocal nuclear policy debate on the front pages of newspapers in the United State might almost entirely disappear from view by the time it gets to the far side of the globe. As a result, even in our hyper-interconnected age, the sheer, raw, massive geographic mileage between the continents of North America and Asia plays a role in how much the people of different countries understand one another, or what some pundits have referred to as “the tyranny of distance.” Add to that the still-significant barriers of language and cultural mores, and conditions become ripe for misinterpretation. A relationship too important to fail. When making its nuclear policies, Washington needs to take into consideration how other countries would perceive and react upon its words and deeds. Especially for a country like China – that has the capability and confidence to develop countermeasures against every perceived US effort to seek unilateral advantage – persuasion by soft power is going to be much more effective than a demonstration of hard power to make China cooperate and maintain a stable US-China nuclear relationship. In other words, the United States needs to lead by example, to demonstrate and promote the right values that it wants other countries to follow.

### **First use policies lead to nuclear proliferation**

Gregory Kulacki 2016. China project manager and senior analyst @ UCS. 8-3-2016. "Rethinking Nuclear Deterrence: Korea and No First Use." All Things Nuclear. <https://allthingsnuclear.org/gkulacki/rethinking-nuclear-deterrence-korea-and-no-first-use>

The Long-Term Influence of U.S Nuclear Threats in Korea. The United States did not use nuclear weapons in Korea but the credibility of the threat intimidated and divided Chinese decision-makers. The debate over how to stand up to what they described as nuclear blackmail, rather than nuclear deterrence, had a direct effect on the young communist government’s long-term planning. In May 1952, as the US expanded its strategic bombing campaign to include dams and power plants along the Yalu river near the Chinese border, PRC Premier Zhou Enlai met with generals Zhu De, Peng Dehuai and Nie Rongzhen to discuss defense expenditures under the First Five-Year Plan, which would set PRC priorities for national construction during the period from 1953-1957. The question of beginning a nuclear weapons program was one of the most hotly debated issues on the agenda. Zhou was concerned the new government did not have the human, technical or natural resources to build the bomb. But because of the experience with US nuclear threats during the Korean war, many Chinese leaders agreed that if a thorough feasibility study indicated it was possible, the PRC should make the attempt. Two years into the five-year plan, not long after uranium was discovered in China’s southwest, an expanded session of the Chinese Communist Party Central Committee decided on January 15, 1955 to greenlight a nuclear weapons program. It would consume the lion’s share of the PRC’s research and development budget for the next three decades. Today one of the arguments against using nuclear weapons to deter non-nuclear attacks is that it invites proliferation. It seems clear in this case, based on the available PRC historical materials, that US nuclear threats during the Korean War played a critical role in communist China’s decision to build the bomb. Lack of comparable access to North Korean historical materials makes it difficult to know



if its nuclear weapons program is rooted in the same war-time experience. But it's not an unreasonable assumption. The Chinese communist leadership's response to US nuclear threats 60 years ago continues to inhibit international diplomatic efforts to stop North Korea's pursuit of nuclear weapons today. On the one hand, its relationship with North Korea, forged during the Korean War and celebrated by Xi Jinping on its 60th anniversary, puts Chinese leaders in a unique position to influence North Korean behavior. The PRC certainly does not want another nuclear-armed state on its border. So many other nations, including the United States, expect Chinese leaders to use their influence to persuade their North Korean counterparts to dismantle their nuclear weapons program. But as noted in a 1995 Japanese Defense Agency (JDA) study of Japan's nuclear options, "Although North Korea's nuclear development is like a dagger stuck to China's throat, it has the same logical justification of China's own nuclear development. China cannot condemn it. It is nothing other than an entanglement in one's own net." Lessons for No First Use. The Korean War is not a minor outlier in the history of nuclear deterrence. It is a defining event that shaped the political and security contours of Asia during the Cold War with a legacy that remains relevant today. The US experience in Korea shows how attempting to use nuclear threats to deter large-scale conventional attacks can fail, and that one of the potential consequences of failure is nuclear proliferation.

## Evidence to Support Con Arguments

This section provides evidence that can be used to make arguments for the con side of the resolution. The con is opposed to US adoption of an NFU policy. This section also contains evidence that can be used to respond to common pro arguments, arguments supporting the US adoption of an NFU policy. The following pieces of evidence are ‘cut’ from larger articles and pieces of research. The citation information below the title of each piece of evidence will allow you to access the original source material. The most relevant information is underlined.

### **NFU causes proliferation in East Asia and collapses the Non-Proliferation Treaty.**

Keith Payne 2017, Missouri State strategic studies professor, April, “A New Nuclear Review for a New Age,” <http://www.nipp.org/wp-content/uploads/2017/06/A-New-Nuclear-Review-final.pdf>

US nuclear capabilities also provide unique support for the assurance of allies. US assurance efforts are meant to create or reinforce confidence among allies and partners with regard to the US ability and will to help ensure their security against external threats. There is a long, bipartisan history of US and allied recognition of the contributions of nuclear weapons to US assurance efforts. It is equally important to note that most US allies fully reject the notion that US nonnuclear capabilities alone are adequate for US extended deterrence purposes and thus, their assurance. Indeed, the long-standing evidence is overwhelming that many allies see US nuclear capabilities as an essential component of deterrence and assurance, and recent key NATO documents continue to highlight the consensus NATO position that nuclear weapons remain essential to NATO deterrence capabilities. There is no indication that this perspective among allies is shifting in favor of substituting US conventional forces for this purpose. Indeed, Russia’s war against Georgia in 2008, and annexation of part of the Ukraine in 2014, and China’s ongoing expansionist actions in the East China Sea, appear to have reinforced the importance of US nuclear weapons for at least some key allies. As Hans Rühle, former head of the Policy Planning Staff in the German Ministry of Defense, recently observed regarding US allies and US extended nuclear deterrence: These states derive their security from a predictable international system—a system that is still upheld by the United States, including through the US nuclear umbrella. If the US were to reduce or even end its role as a nuclear protector, the security perceptions of its allies would change radically—and in some cases could even lead them to re-consider their attitudes vis-à-vis nuclear possession. The result could well be the largest wave of proliferation since the dawn of the nuclear age. ...US extended deterrence is a most effective non-proliferation tool and must be sustained for the deterrence of aggression, the assurance of allies and non-proliferation purposes. While the primary audiences for US deterrence messaging are adversaries and potential adversaries, the primary audiences for US assurance efforts are allies and partner countries. US deterrence and assurance goals are closely related and “two sides of the same coin.” For example, the credibility of US extended deterrence commitments to allies (e.g., the US “nuclear umbrella”) is a key to their assurance, and a primary reason many have agreed to forego acquisition of their own independent nuclear deterrent capabilities. Indeed, following North Korea’s nuclear tests, the United States reaffirmed its “unwavering and ironclad alliance commitments,” to the ROK and Japan, “and emphasize[d] that U.S. extended deterrence commitments are guaranteed by the full spectrum of U.S. military capabilities, including conventional, nuclear, and missile defense capabilities.”<sup>37</sup> However, deterrence and assurance are separate goals and may require different supporting strategies and capabilities. One difference is reflected in the “Healey Theorem.” To wit, Denis Healey, a British Defense Minister during the Cold War, famously observed that US deterrence

strategy required five percent credibility to deter the Soviet Union, but 95 percent credibility to assure allies.<sup>38</sup> The United States has extended nuclear deterrence and assurance commitments to more than 30 countries around the world—including North Atlantic Treaty Organization (NATO) allies, Japan, South Korea and Australia—to address their unique threat circumstances. Just as deterrence efforts are best tailored to specific adversaries, so too are US assurance efforts. US assurance efforts can include all forms of US power, military and political. For example, the most recent NATO communiqué issued in Warsaw in July 2016, states that: “To protect and defend our indivisible security and our common values, the Alliance must and will continue fulfilling effectively all three core tasks as set out in the Strategic Concept: collective defence, crisis management, and cooperative security. These tasks remain fully relevant, are complementary, and contribute to safeguarding the freedom and security of all Allies.”<sup>39</sup> In October 2016, then-Secretary of Defense Ashton Carter “reaffirmed the continued U.S. commitment to provide extended deterrence for the ROK using the full range of military capabilities, including the U.S. nuclear umbrella, conventional strike, and missile defense capabilities.” In addition, he “also reiterated the long-standing U.S. policy that any attack on the United States or its allies will be defeated, and any use of nuclear weapons will be met with an effective and overwhelming response.”<sup>40</sup> In the contemporary highly-charged threat environment, the assurance of US allies and partners has become both increasingly relevant and challenging. Speaking of the Baltic states of Estonia, Latvia, and Lithuania, Gen. Petr Pavel, Chairman of the NATO Military Committee, stated, “Their concern is justified. They are living close to Russia. They face on a daily basis the effects of a continuous information and propaganda campaign.”<sup>41</sup> As the Healey Theorem suggests, providing assurance to allies may be even more challenging than establishing a credible deterrent to aggression. As Russia, China, and North Korea pursue aggressive foreign policies, US allies such as Japan, South Korea, and some NATO members are expressing increased concern about the US capabilities and credibility that underpin US defense commitments, including the US nuclear umbrella. Allied perceptions of declining US credibility could ultimately lead some allies to feel compelled to pursue independent responses to common threats, including independent nuclear deterrence capabilities. This development would, of course, significantly undermine long-standing US nuclear nonproliferation goals. Public opinion polls in South Korea already show strong support for an independent South Korean nuclear deterrent,<sup>42</sup> and a recent report by an official South Korean presidential advisory group recommended asking the United States to redeploy US nuclear weapons to the Korean peninsula.<sup>43</sup> As Robert Einhorn, a senior State Department advisor in the Obama Administration recently observed, South Korean leaders want the US nuclear deterrent to be strengthened, including, “by permanently stationing U.S. ‘strategic assets’ (such as nuclear-capable aircraft and perhaps even U.S. nuclear weapons) in South Korea.”<sup>44</sup> Former South Korean President Park Geun-hye stated in 2014 that if North Korea continues testing its nuclear devices, “It would be difficult for us to prevent a nuclear domino from occurring in this area.”<sup>45</sup> Correspondingly, former Vice President Joseph Biden has stated that Japan could go nuclear “virtually overnight” if the threat from North Korea is not dealt with.<sup>46</sup> Officials in Poland apparently are considering various options, including moving toward an independent form of deterrence: “Without measures to address the new nuclear threat environment in Europe, Poland is left with three options. The first is to accept the risk of falling prey to the ‘escalate to de-escalate’ doctrine. The second is to offer political concessions to Moscow and drift towards a ‘Finlandized’ status, in order to decrease the likelihood of a military attack by Russia. The third is to create a nonnuclear deterrent for Poland (similar in logic to the French and British nuclear deterrents) that would create an alternative decision dynamic for adversaries contemplating escalation.”<sup>47</sup> These examples illustrate the possible causes and consequences of US assurance strategies perceived as incredible in a rapidly deteriorating threat environment. Democratic and Republican administrations have long recognized that the great benefits of assuring allies and partners include nonproliferation and stronger alliance

cohesion. In short, credible assurance has been and must again be a priority goal for US nuclear policy, including in the determination of the US nuclear force posture. Specific US Capabilities for Assurance The United States pursued a “second-to-none” assurance standard for its nuclear forces during the Cold War and in the George W. Bush Administration’s 2001 NPR, in part to contribute to the credibility of extended deterrence. In 2008 and 2009, the bipartisan US Strategic Posture Commission held closed-door hearings with allied representatives on the subject of US nuclear capabilities and found that, “U.S. allies and friends in Europe and Asia are not all of a single mind concerning the requirements for extended deterrence and assurance and on capabilities and infrastructure provided by Allies concerned. These Allies will ensure that all components of NATO’s nuclear deterrent remain safe, secure, and effective. That requires sustained leadership focus and institutional excellence for the nuclear deterrence mission and planning guidance aligned with 21st century requirements.”<sup>50</sup> The Joint Communiqué of the 48th US-South Korea Security Consultative Meeting in Washington in October 2016 stated that part of the US extended nuclear deterrence response to the 2016 North Korean missile and nuclear tests was the B-52 deployment to South Korea and the “Minuteman III intercontinental ballistic missile demonstrations earlier this year at Vandenberg Air Force Base, California.”<sup>51</sup> The Communiqué also endorsed the “tailored deterrence” of North Korea. US measures of nuclear posture adequacy must take into consideration the assurance needs of allies and partners, including the effects of an increasingly threatening security environment, and an emerging concern among some allies about the credibility of US commitments. As the 2010 NPR states, “A failure of reassurance could lead to a decision by one or more non-nuclear states to seek nuclear deterrents of their own, an outcome which could contribute to an unraveling of the NPT regime and to a greater likelihood of nuclear weapon use.”<sup>52</sup> As noted above, these pressures already are at play in some allied capitals. Lawmakers in South Korea’s ruling party recently called for the return of US non-strategic nuclear weapons to Asia or for starting their own nuclear weapons program as a way to increase their deterrence efforts against North Korea.<sup>53</sup> South Korean polling shows nearly two-thirds of the public support these ideas.<sup>54</sup> In Japan, Prime Minister Abe’s cabinet reportedly recently ruled that, “war-renouncing Article 9 of the Constitution does not necessarily ban Japan from possessing and using nuclear weapons.”<sup>55</sup> In addition, a panel of the ruling political party in Japan recently made an “urgent proposal” to the Abe government to procure long-range cruise missiles for deterrent and retaliatory purposes.<sup>56</sup> These developments signal the renewed importance of, and need for, US assurance efforts. As former US Assistant Secretary of Defense Robert Scher recently stated, “If allies and partners conclude that they cannot rely on the United States to respond effectively to restore deterrence, they might opt to pursue their own arsenals, thus undermining our nonproliferation goals. These are conditions that would be truly dangerous and destabilizing.”<sup>57</sup> Former CIA Director Michael Hayden has described the situation vis-à-vis North Korea starkly: “By the end of Donald Trump’s first term, we could be facing an isolated, pathological little gangster state able to obliterate Seattle.” He suggested that response options include making, “U.S. missile defenses facing the Pacific Basin a lot stronger,” and that “we could even revisit the decision to pull American nuclear weapons out of South Korea, or the rate at which American nuclear-capable ships visit Chinese/Korean waters...”<sup>58</sup> In November 2016, a US Trident submarine reportedly made a port call at Guam to reinforce extended nuclear deterrence in the Asia Pacific region.<sup>59</sup> Clearly, assurance is a priority goal and US assurance efforts have the potential to include moves that the United States would be unlikely to consider in the absence of this priority goal. Damage Limitation In the event that deterrence fails, limiting damage has been and continues to be a US policy goal.<sup>60</sup> This continuity is reflected explicitly in numerous past nuclear policy documents, and most recently, implicitly, in the 2013 Report on Nuclear Employment Strategy of the United States. <sup>61</sup> There is an inherent linkage between the goals of deterrence and damage limitation. As then Assistant Defense Secretary Robert Scher explained recently, “First, effective deterrence requires

credibility. We sometimes distinguish between the ability to deter and the ability to achieve our objectives if deterrence fails, but the two are in fact inextricably linked. Deterrence is most effective when underwritten by forces, posture, and strategy that can credibly succeed in the event deterrence fails. At the opposite extreme, a deterrent without credibility would be no deterrent at all. The current US nuclear weapons employment strategy supports credible deterrence by sustaining a flexible range of plans and capabilities to provide options to the President in the event deterrence fails.<sup>62</sup> Extending deterrence into a conflict, “intra-war deterrence,” is a primary form of damage limitation. The priority goal is to reestablish deterrence to minimize further damage to US military, political, and societal assets. This has been referred to as a strategy of “escalation control” that is intended to limit the escalation of a conflict, and thus its destructiveness. Robert Scher summarized US policy on this point recently, saying, “Regional deterrence requires a balanced approach to escalation risk that deters escalation, but also prepares for the possibility that deterrence might fail. We accept and convey the reality that no one can count on controlling escalation in a crisis or conflict... [but] we do not simply assume that escalation cannot be limited once the nuclear threshold has been crossed.... Possessing a range of options for responding to limited use makes credible our message that escalating to deescalate is dangerous and will ultimately be unsuccessful.”<sup>63</sup> Escalation control, or intra-war deterrence, to support the goal of damage limitation may be most possible with US nuclear options, including limited options, that can provide a proportionate response to any level of attack.<sup>64</sup> A renowned contributor to US nuclear deterrence theory, the late Herman Kahn, referred to this form of deterrence as Lex Talionis and emphasized its potential value.<sup>65</sup> The United States therefore should retain a spectrum of nuclear deterrent threat options as necessary to help support the goal of damage limitation via intra-war deterrence in the event deterrence fails.

### **Proliferation in East Asia is the greatest risk to global stability**

Richard Tanter 2017 [Richard Tanter, Senior Research Associate, Nautilus Institute, Honorary Professor in the School of Political and Social Sciences at the University of Melbourne. “Donald Trump’s Japanese and South Korean Nuclear Threat to China: A tipping point in East Asia?” *The Asia-Pacific Journal*, Vol. 15, Issue 7, No. 2, 4/1, <https://apjif.org/-Richard-Tanter/5025/article.pdf>]

But in the longer run, apart from the direct risks of such an event for the U.S. itself, its East Asian alliance network, now in its seventh decade, founded on Japanese and Korean acceptance of U.S. nuclear primacy and a U.S. nuclear umbrella, would change dramatically, bringing with it, for better or worse, the end of U.S. hegemony in East and Southeast Asia (<http://nautilus.org/napsnet/napsnet-special-reports/playing-the-japan-nuclear-card-did-the-us-secretary-of-state-reverse-five-decades-of-us-non-proliferation-policy/>). Whether occurring on a Gaullist or British model, the foundations of Korean and Japanese relations with the United States would be irrevocably altered. Even leaving aside the obvious questions about the DPRK, in the event of a nuclearized Japan and South Korea, clearly the mathematical risks of nuclear war initiated in East Asia would be very much greater than even the current risks of India-Pakistan nuclear conflict. Regional nuclear security planning would be woven with multiple valences of possible perceived nuclear threats. The calculus of China-U.S. nuclear relations immediately becomes much more complex, with China facing two new potential threats, nominally at least coordinating with the U.S., in addition to the older concerns about India and Russia. For the United States, a nuclear-armed, fully ‘normalized’ Japan would never be the undoubted loyal lapdog of by then likely post-United Kingdom Little England. And the calculations of a nuclear-armed South Korea and Japan about each other would start and finish in historically-conditioned suspicion. At a global level, the U.S. opening the door to Japanese and Korean nuclear weapons could not fail to encourage a cascade of regional races to nuclear weapons, not only in the Western Pacific but in the Middle East, in Latin America, and quite possibly in Africa. The risks of regional nuclear war, with all its now thoroughly documented

(<http://www.psr.org/assets/pdfs/two-billion-at-risk.pdf>) catastrophic environmental and climate consequences (<http://www.readcube.com/articles/10.1002/2013EF000205>), would be both manifold and far higher than at present.

### **Nuclear proliferation makes deterrence impossible and the world more dangerous**

Thomas Karako 18, CSIS senior fellow, 2-2-2018, "When Allies Get Nervous," <https://www.weeklystandard.com/thomas-karako/when-allies-get-nervous>

So what would a more proliferated world be like? It could be quite anarchic. Instead of being the primary security guarantor and enforcer of a rule-based global order, the United States might assume a very different role. The international order could be more sharply characterized by spheres of influence, brutal power politics, brinkmanship, and greater instability. More nuclear powers means a multiplication of the number of deterrence relationships, creating more chances for miscalculation. On one hand, power disparities would remain, so states like China or Russia might be tempted to press their interests against smaller nuclear states. On the other hand, the belief of a smaller power that nuclear weapons bring "automatic deterrence" could send it blundering into conflicts it couldn't win. In a crowded nuclear world, strategic stability would require more of the ever-elusive understanding of one another's intentions, red lines, and core interests. Does China truly know the lengths to which Japan would go to maintain its control of the Senkaku Islands (near Taiwan), which China considers its own? Does Japan understand how far China would press its claims to those islands? Does either know the circumstances in which America would intervene on Japan's behalf? Clear communication is critical to avoiding misperception and doubt. The administration's recent National Security Strategy (released in December) and National Defense Strategy (released in January) presented a realistic rearticulation of America's role in a world characterized by great power conflict, as well as a blunt list of core national security interests.

### **Adopting NFU would lead to Japan nuclearizing**

Ian Easton 2015—Ian Easton, research fellow at the Project 2049 Institute, M.A. in China Studies from National Chengchi University in Taiwan and a B.A. in International Studies from the University of Illinois Urbana-Champaign ("CHAPTER 7 JAPANESE STRATEGIC WEAPONS PROGRAMS AND STRATEGIES: FUTURE SCENARIOS AND ALTERNATIVE APPROACHES" published by the *Nonproliferation Policy Education Center*, May 05 2015, [http://npolicy.org/books/East\\_Asia/Ch7\\_Easton.pdf](http://npolicy.org/books/East_Asia/Ch7_Easton.pdf))

So what do these scenarios tell us about potential Japanese strategies? U.S. Naval War College professors Toshi Yoshihara and James Holmes have previously argued that "a strategy of calculated ambiguity that at once played up Japanese capacity to go nuclear and remained noncommittal on Japanese intentions of doing so would offer Tokyo its best diplomatic option should security conditions continue to decay in East Asia."<sup>14</sup> These scenarios agree with this assertion. Strategic ambiguity would probably have been pursued to varying degrees in at least two of the three scenarios. Especially in the second scenario – this chapter's most daring – Japan might have initially attempted to maintain some ambiguity. The first two scenarios both paint pictures of nuclear breakout events in Japan. They emphasize the point made by Yoshihara and Holmes that "even barely perceptible signs of weakness in the U.S. nuclear posture (either perceived or real) could trigger alarm and overreaction in Japan."<sup>15</sup> Given Japan's utter dependency on the U.S. extended nuclear deterrent for neutralizing strategic threats to Japan's security, it holds that the greater the crisis of confidence Tokyo has in Washington's commitments, the greater the Japanese push toward proliferation is likely to be in the future. In the first scenario, Japan probably went nuclear as the result of a series of serious crises, but the situation did not ultimately reach the threshold where Tokyo felt the need to "go it alone." Instead Japan wanted to quickly fold its capabilities into the preexisting, U.S.-led strategic deterrence structure. In the second scenario, the situation was clearly far worse from Japan's perspective. Japan ultimately felt compelled to become a full-fledged, independent

nuclear power – even as it worked to maintain its alliance with Washington. In the third scenario, which is arguably the chapter’s most optimistic, Japan did not lose faith in its American ally’s nuclear umbrella, and so chose to invest in conventional capabilities to strengthen Japan’s indigenous defense capabilities while simultaneously bolstering the U.S.-Japan alliance. It can be seen in the three scenarios that Japan’s security calculations can and almost certainly will change over the coming 15 to 20 years based upon the actions of China and North Korea. Japan’s domestic political and economic situation will also impact its strategic policies. Bureaucratic and individual leader interests can be expected to influence outcomes as well. However, it would appear that the single most important factor impacting Japanese decisions regarding whether or not to go nuclear will be the behavior of the United States during periods of regional crisis. Strong displays of American leadership and commitment, not only to Japan, but also to the defense of others in the region, are likely to have reassuring effects. In contrast, any signs of weakness, either real or imagined, could have outsized effects on long term Japanese decision making. What do these scenarios tell us about what doctrines, targeting schemes, and weapons Japan might develop? It might be noted by the reader that Japan gets strike capabilities in all three of the scenarios. In the first scenario, these capabilities are limited to a small number of low-yield nuclear bombs intended for delivery by F-2s and future F-35/F-3 strike fighters. Presumably, Japan also develops other forms of conventional strike capabilities in this scenario, but these are not discussed and probably would not be significant compared to its nuclear bombs. Scenario one assumes that Japan would only target two key cities (Beijing and Shanghai) in a fashion that holds symbols of power that the Chinese Communist Party leadership would value at risk. This is not a traditional “counter value” strategy that targets cities for the sake of threatening the wholesale slaughter of innocent people. Given the limited range of its delivery platforms and weapons – and China’s dense array of integrated air defense systems – China’s nuclear strike force is not considered as a target. The second scenario presents the reader with an unlikely “black swan” type event where Japan feels compelled to develop numerous nuclear strike capabilities. Here Japan risks a nuclear arms race with China. Given the presumed severity of Japan’s strategic situation in this scenario, it is posited that Japan would choose to invest in a large-scale program to outfit modified diesel electric submarines with nuclear cruise missiles. The scenario also sees Japan building penetrating stealth bombers with air-launched cruise missiles. This gives Japan a two-legged nuclear deterrent. In terms of targeting, this scenario does not provide specifics. However, it suggests that Japan, as an independent nuclear power facing a rapidly growing Chinese nuclear force, would probably quickly move toward a counterforce approach. This approach might assume that China’s rigid military organizational system could have single nodes of failure, and Japan could affect paralysis-inducing strikes without targeting every Chinese strategic launch system. However, it might be assumed from this scenario that China’s own ability to target Japanese nuclear strike capabilities could quickly place Tokyo in a reactive position. This scenario could see Japan attempting to achieve strategic parity with China, but with little prospect of long-term success. The third scenario, in contrast with the first two, presents the reader with a more moderate and “realistic” alternative future for Japan. This scenario assumes that the coming two decades will not be marred by any major regional security crisis that might shatter Japan’s confidence in U.S. extended deterrence. As a result, this scenario sees Tokyo decide to forego the option of developing nuclear weapons in favor of increased investments into capabilities to ensure allied power projection from bases on Japanese territory. Japan also develops its own counterstrike capabilities alongside the U.S. in order to strengthen the alliance and maintain superiority against China at the conventional level of warfare.

## **Weakening American alliances**

Zack Beauchamp 2018, senior reporter at Vox, where he covers global politics and ideology, and a host of Worldly, Vox's podcast on covering foreign policy and international relations, "How Trump is killing America's alliances", Vox, <https://www.vox.com/world/2018/6/12/17448866/trump-south-korea-alliance-trudeau-g7>

How the weakening of American alliances could lead to a massive war There has never, in human history, been an era as peaceful as our own. This is a hard truth to appreciate, given the horrible violence ongoing in places like Syria, Yemen, and Myanmar, yet the evidence is quite clear. Take a look at this chart from the University of Oxford's Max Roser. It tracks the number of years in a given time period in which "great powers" — meaning the militarily and economically powerful countries at that time — were at war with each other over the course of the past 500 years. The decline is unmistakable: [[TABLE OMITTED]] This data should give you some appreciation for how unique, and potentially precarious, our historical moment is. For more than 200 years, from 1500 to about 1750, major European powers like Britain and France and Spain were warring constantly. The frequency of conflict declined in the 19th and 20th centuries, but the wars that did break out — the Napoleonic conflicts, both world wars — were particularly devastating. The past 70 years without great power war, a period scholars term "the Long Peace," is one of history's most wonderful anomalies. The question then becomes: Why did it happen? And could Trump mucking around with a pillar of the global order, American alliances, put it in jeopardy? The answer to the second question, ominously, appears to be yes. There is significant evidence that strong American alliances — most notably the NATO alliance and US agreements to defend Japan and South Korea — have been instrumental in putting an end to great power war. "As this alliance system spreads and expands, it correlates with this dramatic decline, this unprecedented drop, in warfare," says Michael Beckley, a professor of international relations at Tufts University. "It's a really, really strong correlation." A 2010 study by Rice's Leeds and the University of Kentucky's Jesse C. Johnson surveyed a large data set on alliances between 1816 and 2000. They found that countries in defensive alliances were 20 percent less likely to be involved in a conflict, on average, than countries that weren't. This holds true even after you control for other factors that would affect the likelihood of war, like whether a country is a democracy or whether it has an ongoing dispute with a powerful neighbor. In a follow-up paper, Leeds and Johnson looked at the same data set to see whether certain kinds of alliances were more effective at protecting its members than others. Their conclusion is that alliances deter war best when their members are militarily powerful and when enemies take seriously the allies' promise to fight together in the event of an attack. The core US alliances — NATO, Japan, and South Korea — fit these descriptors neatly. A third study finds evidence that alliances allow allies to restrain each other from going to war. Let's say Canada wants to get involved in a conflict somewhere. Typically, it would discuss its plans with the United States first — and if America thinks it's a bad idea, Canada might well listen to them. There's strong statistical evidence that countries don't even try to start some conflicts out of fear that an ally would disapprove. These three findings all suggest that NATO and America's East Asian alliances very likely are playing a major role in preserving the Long Peace — which is why Trump's habit of messing around with alliances is so dangerous. According to many Russia experts, Vladimir Putin's deepest geostrategic goal is "breaking" NATO. The member states where anyone would expect him to test NATO's commitment would be the Baltics — Estonia, Latvia, and Lithuania — small former Soviet republics that recently became NATO members. We can't predict if and when a rival like Putin would conclude that America's alliances seemed weak enough to try testing them. Hopefully, it never happens. But the more Trump attacks the foundations of America's allies, the more likely things are to change. The absolute risk of a Russian invasion of a NATO state or a North Korean attack on the South is relatively low, but the consequences are so potentially catastrophic — nuclear war! — that it's worth taking anything that increases the odds of such a conflict seriously. The crack-up of the West? The world order is a little like a game of Jenga. In the game, there are lots of small blocks that



interlock to form a stable tower. Each player has to remove a block without toppling the tower. But each time you take out a block, the whole thing gets a bit less stable. Take out enough blocks and it will collapse. The international order works in kind of the same way. There are lots of different interlocking parts — the spread of democracy, American alliances, nuclear deterrence, and the like — that work together to keep the global peace. But take out one block and the other ones might not be strong enough to keep things together on their own. At the end of the Cold War, British and French leaders worried that the passing of the old order might prove destabilizing. In a January 1990 meeting, French President François Mitterrand told British Prime Minister Margaret Thatcher that he feared a united Germany could seize control of even more territory than Hitler. Some experts feared that in the absence of the external Soviet threat, Western European powers might go back to waging war with each other. Thankfully, those predictions turned out to be wrong. There are multiple reasons for that, but one big one — one that also helped keep relations between other historical enemies, like South Korea and Japan, peaceful — is a shared participation in US alliance networks. The US serves as the ultimate security blanket, preventing these countries from having to build up their own armaments and thus risk a replay of World War I. But if American alliance commitments become and remain less credible, it's possible this order could crack up. America's partners aren't stupid. They understand that Trump is the product of deep forces in American politics, and that his victory might not be a one-off. If they think that this won't be the last "America First" president in modern history, depending on America the way that they have in the past could quickly become a nightmare. The worst-case scenarios for a collapse in the US alliance system are terrible. Imagine full Japanese and German rearmament, alongside rapid-fire proliferation of nuclear weapons. Imagine a crack-up of NATO, with European powers at loggerheads while Russia gobbles up the Baltic states and the rest of Ukraine. Imagine South Korea's historical tensions with Japan reigniting, and a war between those two countries or any combination of them and China. All of this seems impossible to imagine now, almost absurd. And indeed, in the short run, it is. There is no risk — zero — of American allies turning on each other in the foreseeable future. And it's possible that the next president after Trump could reassure American allies that nothing like this could ever happen again. But the truth is that there's just no way to know. When a fundamental force for world peace starts to weaken, no one can really be sure how well the system will hold up. Nothing like this — the leader of the world's hegemon rounding on its most important allies — has ever happened before. What Donald Trump's presidency has done, in effect, is start up another geopolitical Jenga game. Slowly but surely, he's removing the blocks that undergird global security. It's possible the global order survives Trump — but it's just too early for us to say for sure. Given the stakes, it's a game we'd rather not play.

**First use doesn't make US policy escalatory --- it just leaves the option of the table which is key to assurance.**

Michaela Dodge, 2/16/2018. Senior policy analyst specializing in missile defense and arms control in The Heritage Foundation's Center for National Defense. "Trump's Plan to Protect America's Nuclear Capabilities." <https://nationalinterest.org/feature/trumps-plan-protect-americas-nuclear-capabilities-24529?page=0%2C1>.

Reassures Allies U.S. nuclear weapons are one of the most important tools for assuring allies and dissuading them from developing their own nukes. The new NPR rightfully places assuring our allies and partners as the second most critical purpose of U.S. nuclear weapons (deterrence of a large-scale attack against the United States or allies being job one). In strong terms, it articulates a policy by which the United States would consider nuclear retaliation in response to extreme circumstances, which could include "significant non-nuclear strategic attacks" on the United States and allies. This does not mean that nuclear weapons will be option one, nor that

the threshold for nuclear weapon use is now lower. In a sign of continuity with established U.S. nuclear weapon policies, the NPR articulates the U.S. commitment to negative security assurances. The United States will not use or threaten to use nuclear weapons against nonnuclear weapons states that are party to—and in compliance with—the nonproliferation treaty.

### **NFU will ruin the long-held alliance between the US and Japan**

Hugh White 2016, Professor in the Strategic and Defense Studies Centre at The Australian National University, "The strategic illusion of No First Use policy", East Asia Forum, <http://www.eastasiaforum.org/2016/10/22/the-strategic-illusion-of-no-first-use-policy/>

Where we disagree is over the wider consequences of such a declaration. An NFU declaration would **weaken the United States' strategic position** in Asia by weakening its key alliances there — especially with Japan. That is because Japanese leaders and policymakers genuinely seem to believe that the implied US threat of first use helps deter China in a way that conventional US forces cannot. Ramesh finds **this hard to believe**. He suggests that Japanese policymakers could not be as ill-informed as to take the implied US threat seriously. Or, for that matter, to imagine Beijing would take it seriously enough to be deterred by it. This is a possibility, but he has more faith in the rationality of strategic policymakers than I do. To me the evidence clearly suggests that the Japanese really believe in first use. If not, why has Tokyo objected so strongly to the idea of an US NFU declaration? Why has the Obama administration apparently backed away from an NFU declaration for a second time, if not out of concern for the reaction of key allies like Japan? And if Japan really does think the United States' first use threat is important to their security, then we have to accept that an NFU declaration could have some unwelcome consequences. It would weaken Japan's confidence in the United States' security commitments, and strengthen the arguments in Japan to build an **independent strategic posture**, including its own minimum nuclear deterrent capability.

### **NFU policies aren't credible and they don't work**

Ankit Panda 2018, Federation of American Scientists adjunct senior fellow, 7-17-2018, "No first use' and Nuclear Weapons," Council on Foreign Relations, <https://www.cfr.org/backgrounder/no-first-use-and-nuclear-weapons>

Most states with nuclear weapons maintain policies that would permit their first use in a conflict. Pledges to only use these weapons in retaliation for a nuclear attack—or a no-first-use (NFU) policy—are rare. Where these pledges have been made by nuclear states, their adversaries generally consider them not credible. Strategic planners for nuclear weapons powers see the credible threat of the first use of nuclear weapons as a powerful deterrent against a range of significant nonnuclear threats, including major conventional, chemical, and biological attacks, as well as cyberattacks. Even states with significant conventional military forces, such as the United States, consider it necessary to retain nuclear first use as an option. The 2018 Nuclear Posture Review, under the administration of President Donald J. Trump, retains the option of nuclear first use. What is an NFU pledge? A so-called NFU pledge, first publicly made by China in 1964, refers to any authoritative statement by a nuclear weapon state to never be the first to use these weapons in a conflict, reserving them strictly to retaliate in the aftermath of a nuclear attack against its territory or military personnel. These pledges are a component of nuclear declaratory policies. As such, there can be no diplomatic arrangement to verify or enforce a declaratory NFU pledge, and such pledges alone do not affect capabilities. States with such pledges would be technically able to still use nuclear weapons first in a conflict, and their adversaries have generally not trusted NFU assurances. Today, China is the only nuclear weapon state to maintain an unconditional NFU pledge. What is the U.S. declaratory nuclear

use policy? During the Cold War and even today, the credible threat of the United States using its nuclear weapons first against an adversary has been an important component of reassuring allies. At the height of the Cold War, the threat of U.S. tactical nuclear use was conceived of as a critical bulwark against a conventional Soviet offensive through the Fulda Gap, a strategically significant lowland corridor in Germany that would allow Warsaw Pact forces to enter Western Europe. A nuclear first-use policy was thought to be a cornerstone of the defensive posture of the North Atlantic Treaty Organization (NATO), given the large number of bases of Warsaw Pact conventional military forces. Accordingly, NATO has always opposed a U.S. NFU declaration and has never ruled out U.S. first use under its “flexible response” posture since 1967. Today, U.S. allies in East Asia and Europe alike rely on credible commitments from the United States to use nuclear weapons first to deter major nonnuclear threats against them. The United States has considered but has never declared an NFU policy and remains the only country to have ever used nuclear weapons in war—twice against Japan, in 1945. The Trump administration’s 2018 Nuclear Posture Review expands the range of significant nonnuclear strategic scenarios in which the United States may contemplate nuclear weapons use. Notably, it does not rule out the first use of nuclear weapons in response to cyberattacks. The 2010 Nuclear Posture Review, under the administration of President Barack Obama, reiterated an assurance in place since 1978 that the United States would not use nuclear weapons against compliant members of the Nuclear Nonproliferation Treaty (NPT). The Obama administration still maintained the option to use nuclear weapons first while stating that the role of these weapons to deter and respond to nonnuclear attacks had declined and that it would continue to reduce that role. It additionally emphasized that the “fundamental” role of U.S. nuclear weapons was to deter nuclear use against the United States and its allies. In 2002, during the administration of President George W. Bush, the classified Nuclear Posture Review emphasized the role of U.S. nuclear weapons in deterring nonnuclear threats, including weapons of mass destruction (WMD) and large conventional military forces, ostensibly through nuclear first use. What is the debate in the United States on NFU? Though the 2010 Nuclear Posture Review did not include an NFU pledge, the Obama administration considered the idea during its second term. It ultimately left U.S. nuclear declaratory policy unchanged from its 2010 iteration, which stated that the United States reserved the right to use nuclear weapons to deter nonnuclear attacks while strengthening conventional capabilities to gradually reduce the role of nuclear weapons to that of solely deterring nuclear attacks. Nevertheless, the Obama administration’s final year in office saw animated debate among proponents and opponents of an NFU declaration. Proponents of a U.S. NFU declaration have argued that not only does the United States already maintain a de facto NFU policy but that U.S. superiority in conventional weapons is sufficient to deter significant nuclear, biological, chemical, and conventional threats. Additionally, as Kingston Reif of the Arms Control Association has argued, “a clear U.S. no-first-use policy would reduce the risk of Russian or Chinese nuclear miscalculation during a crisis by alleviating concerns about a devastating U.S. nuclear first-strike.” In nuclear strategy, a first strike refers to a nuclear attack that seeks to disarm a nuclear-armed enemy before it can employ its weapons. Other proponents pointed to an NFU policy declaration being a necessary step on the road to global nuclear disarmament, an aspirational goal of the Obama administration and a requirement for all recognized nuclear weapon states under Article VI of the NPT. Proponents also argue that U.S. resistance to an NFU declaration has harmed U.S. nonproliferation efforts. Arguments against a U.S. NFU pledge. Critics, meanwhile, have suggested that U.S. allies in East Asia and Europe alike would not accept a unilateral U.S. NFU declaration, because it could encourage adversaries to attack with conventional weapons or to use chemical, biological, or cyber weapons. Russian conventional military advantages over U.S. allies in Europe have amplified these concerns. Critics argue that such a declaration could undercut allied commitments and encourage U.S. allies to develop their own nuclear weapons. Within the Obama administration in 2016, Secretary of State John Kerry, Secretary of Defense

Ash Carter, and Secretary of Energy Ernest Moniz [opposed an NFU declaration](#), primarily along these lines. These officials shared the view of NFU skeptics that a U.S. declaration would embolden adversaries, weaken allied commitments, and invite brinkmanship.

### **US allies actively oppose NFU**

Josh Rogin 2016 - columnist for the Global Opinions section of The Washington Post [Josh Rogin, U.S. allies unite to block Obama's nuclear 'legacy', August 14, 2016, Washington Post]

President Obama's last-minute drive for a foreign-policy legacy is making U.S. allies nervous about their own security. Several allied governments have lobbied the administration not to change U.S. nuclear-weapons policy by promising never to be the first to use them in a conflict. The governments of Japan, South Korea, France and Britain have all privately communicated their concerns about a potential declaration by President Obama of a "no first use" nuclear-weapons policy for the United States. U.S. allies have various reasons for objecting to what would be a landmark change in America's nuclear posture, but they are all against it, according to U.S. officials, foreign diplomats and nuclear experts. Japan, in particular, believes that if Obama declares a "no first use" policy, deterrence against countries such as North Korea will suffer and the risks of conflict will rise. Japanese Prime Minister Shinzo Abe personally conveyed that message recently to Adm. Harry Harris Jr., the head of U.S. Pacific Command, according to two government officials. (Update: After this column was published, a spokesman for Pacific Command said that Abe and Harris did not discuss U.S. nuclear policy in their July meeting.) President Obama's 2009 speech in Prague President Obama addressed a crowd in Prague's Hradcany Square on April 5, 2009, touching on issues from green energy to nuclear treaties. (The White House) U.S. allies in Europe have a separate, additional concern. They don't want any daylight between their nuclear policies and those of the United States, especially since Britain, France and the United States all are permanent members of the U.N. Security Council. In the case of an emergency, those differences could cause real coordination problems. "It's my understanding that the defense ministries of many of our allied nations have lobbied the White House against changing this doctrine, and there's been particularly strong opposition from the U.K., France, Japan and South Korea," said Joe Cirincione, president of the Ploughshares Fund, an anti-proliferation advocacy group that supports the policy change. "We have an interest in creating an international norm that no one should use nuclear weapons first. The allies lobbying against it are nervous nellies." The White House is considering declaring a "no first use" nuclear-weapons policy as one of several ways Obama can advance his non-proliferation agenda in his final months in office. Several options are under debate, and no final decisions have been made on "no first use." The president wants to roll out announcements on nuclear policy in September to coincide with his final appearance at the U.N. General Assembly, officials said. One administration official told me that, in part because of allied concerns, the internal push on "no first use" was not gaining traction. National Security Council spokesman Ned Price told me that the administration is "always looking for additional ways to achieve progress" on Obama's Prague agenda — named for the disarmament aspirations the president set out in his April 2009 speech in the Czech capital — "while maintaining a credible deterrent for the United States, our allies and partners." Foreign officials from multiple allied countries said that their governments were upset about a lack of consultation on the possible declaration of a "no first use" policy, which would affect all allies who live under the U.S. nuclear umbrella. Many said that allied governments first learned about the policy debates in The Post. "While the goal of a 'no first use' policy is correct — to never be the first country to launch a cataclysmic nuclear strike — doing so unilaterally could run the risk of weakening our allies' confidence in our security guarantees. This would not be in our interest," said Joel Rubin, a former Obama administration State Department official. Diplomats from allied countries argued that if the United States takes a nuclear first strike off the table, the risk of a conventional conflict with

countries such as North Korea, China and Russia could increase. Regimes that might refrain from a conventional attack in fear of nuclear retaliation would calculate the risks of such an attack differently. Moreover, allied governments don't believe that a unilateral "no first use" declaration would necessarily help to establish an international norm, because there's no guarantee that other countries would follow suit. They also believe that nuclear weapons play a role in deterring chemical and biological attacks. Republicans in Congress also strongly oppose the change and are already upset that the Obama administration plans to seek a U.N. Security Council resolution calling on all states to refrain from nuclear testing. They don't believe such moves are appropriate this close to the arrival of a new administration and without legislative advice and consent. The Obama administration first expressed its desire to move the United States to "no first use" in a 2010 policy document that stated that conditions for such a move were not ripe but pledged that the America would "work to establish conditions under which such a policy could be safely adopted." Since 2010, the world has only grown less stable. Nevertheless, proponents of the new policy say concerns about the change are unfounded. "North Korea understands that any conventional attack will be met with a devastating response, but it doesn't have to be a nuclear response," said Arms Control Association executive director Daryl Kimball. "If we don't need to use nuclear weapons to retaliate against North Korea, why should we?" The same question could be asked the other way. If all U.S. allies believe a "no first use" policy weakens deterrence and increases the risk of armed conflict without producing any benefits, why should we do it? Advancing Obama's personal legacy isn't a good enough reason.

### **Limiting the President's nuclear powers weakens US response to an attack**

Michael Collins 11/14/17 – "Retired general, others urge caution in limiting president's power to order nuclear strike," USA Today, <https://www.usatoday.com/story/news/politics/2017/11/14/trump-critic-bob-corker-lead-senate-hearing-presidents-powers-order-nuclear-attack/860142001/>

\*edited for ableist language

A retired Air Force general urged the Senate on Tuesday to proceed with caution when looking for ways to limit the president's authority to launch a nuclear attack. "Conflicting signals can result in loss of confidence, confusion or [a freeze] in the operating forces at a critical moment," said Robert Kehler, former commander of the United States Strategic Command. Two other witnesses also warned that any attempts to restrict the president's power to order nuclear strikes could have unintended consequences. "I'm not sure that's a wise choice," said Brian McKeon, a former top policy official in the Defense Department. "I would be very wary of legislative fixes," added Peter Feaver, a Duke University professor of political science and public policy.

### **Only first use prevents Chinese aggression**

Roehrig 2017 [Terence Roehrig, Ph.D., Professor of National Security Affairs and the Director of the Asia-Pacific Studies Group. He has been a Research Fellow at the Kennedy School at Harvard University in the International Security Program and the Project on Managing the Atom and a past President of the Association of Korean Political Studies. He has published numerous books, articles and book chapters on Korean and East Asian security issues, North Korea's nuclear weapons program, the U.S.-South Korea alliance, human rights, and transitional justice. Japan, South Korea, and the United States Nuclear Umbrella: Deterrence After the Cold War. 2017. Chapter 4. <https://www.jstor.org/stable/10.7312/roeh15798>]

Second, the U.S. nuclear umbrella addresses the longer-term and perhaps more serious security concerns associated with Sino-Japanese rivalry.<sup>31</sup> China's nuclear weapons program in the 1960s was the impetus for the first formal, though secret, U.S. statement on the nuclear umbrella. In the years since, the likelihood of a Chinese, or for that matter Russian, attack on the Japanese home islands has become negligible. Instead, concerns have shifted south to the maritime environment of the East China Sea and Japan's southernmost islands, the Senkakus. Worries regarding China are less about an overt military threat than in the case of North Korea. Indeed, some U.S. experts and officials maintain that when Japanese officials talk about North

Korea, they are really talking about China. According to one U.S. official, China is the big existential threat, and there is a “deeply ingrained hostility” between China and Japan.<sup>32</sup> There is also a sense of frustration that little can be done to deter North Korea, so it is better to concentrate on China. Japanese analysts fear that China will use its nuclear weapons capability to intimidate and blackmail Japan on issues such as the Senkakus in ways that are more troublesome than a direct military attack.<sup>33</sup> Fears continue to grow that China will act more aggressively in the maritime arena, and dangers of an inadvertent clash or conflict through miscalculation continue to grow. According to one Japanese analyst, China will not use nuclear weapons against Japan, but the U.S. nuclear umbrella is needed to neutralize Beijing’s political power and influence.<sup>34</sup> Thus, China is more of a long-term political and security concern of general deterrence than Pyongyang, which is an immediate military threat. The U.S. nuclear umbrella is seen as helping to counter Beijing’s political and military leverage and reduce any intimidation by China, allowing for greater freedom of action in the face of growing Chinese power. Contrary to views about North Korea, there is greater confidence that Chinese leaders are rational, understand deterrence, and desire stability to support their need for continued economic growth.

### **Conventional strength doesn’t matter as much as nuclear strength in the Asia-Pacific region**

Christine M. Leah 15, is a Postdoctoral Associate in Grand Strategy at Yale University. Previously a Stanton Postdoctoral Fellow in Nuclear Security at MIT. “Should U.S. Allies in Asia Get Their Own Nukes?” The Diplomat, <http://thediplomat.com/2015/01/should-u-s-allies-in-asia-get-their-own-nukes/>

The prospects for the U.S. being able to project its power and defend its allies in Asia are not good. The U.S. security guarantee – known as “extended deterrence” – was never really tested in Asia the way it was on a daily basis in Europe during the Cold War. Understandable, since Asia was not the global center of strategic gravity. But it is now. Military modernization and expansion by all the players is causing greater friction between the tectonic plates of Japan, China, South Korea, and the United States, testing the limits of U.S. extended deterrence, which currently minimizes the role of nuclear weapons. However, the very foundations of this concept were designed to deal with a land, European theater, not the Asian maritime environment. Historically, the foundation of power projection has been sea-control. Since the end of World War Two, U.S. power in Asia has been uncontested. What contributed to making the U.S. such a decisive power there for over sixty years was a robust sea-control capacity with low risk, with therefore little cost. Since the late 90s, however, China has been gradually building up its sea-denial capabilities, which have progressively increased the costs for the U.S. to maintain sea-control. And as Hugh White and others have pointed out, whilst Washington has commitments all over the world, Beijing only has to focus all its military power in one area and focus on a denial strategy. And sea-denial is a lot easier than sea-control. What strategic effect does the U.S. want to achieve with the deployment of its forces? Is there a theory of victory? The vast logistical challenges of relying mainly on conventional forces for sea-control means that if Washington wants to keep playing the extended deterrence game, then nuclear weapons are going to have to feature much more prominently in American strategy. Nuclear weapons are special. They “connect” allies (especially those in far-flung lands such as Australia) in a way that was not possible in the past without the protector state forward deploying substantial conventional forces to the ally’s territory – a costly exercise. In the conventional world, commitments need to be much more explicit and physically visible to appear credible. And that becomes more difficult and costly for the protector state depending on geography. Relatively less effort is needed when nuclear weapons are involved. Compared to Western Europe, the Asia-Pacific is a vast maritime environment, with many more actors, and

allies that all have diverging interests. Big geography (the Pacific, Russia), and big military and industrial bases require big weapons (nuclear weapons) to reassure allies that the U.S. is capable of defending their vital interests in a major conflict. Currently, the role of nuclear weapons in U.S. policy is marginalized. It is not even clear what U.S. strategy in Asia actually is, let alone how nuclear weapons fit in the picture. But they should.

Whilst nuclear disarmament will not happen any time soon, lowering the stockpiles of the United States and Russia to a few hundred weapons each brings big issues of “conventional” strategy back to the surface. And these may be much harder to manage in a world where much more precise conventional systems (including ballistic and cruise missiles) take center stage. Furthermore, the proliferation of precision-strike weapons poses additional challenges for conventional deterrence. China, for instance poses a formidable arsenal of ballistic and cruise missiles. The nuclear aspect of U.S. extended deterrence has always been important for Seoul, Tokyo, and even Canberra. Conventional forces alone simply do not provide the same level of reassurance. Compared to Western Europe (which was never happy with a purely conventional deterrent anyway), there are immense logistical difficulties extending conventional deterrence in a maritime environment as vast as the Asia-Pacific. Tasks include the need to ensure the prompt replenishment of destroyed combat ships, establishing defensive perimeters for fleet support, and ensuring the safety of fleet replenishment oilers and dry cargo/ammunition supply ships, to name but a few. Meanwhile, the budget constraints of sequestration in 2013, coupled with longer-term financial uncertainty raise questions about the future of the U.S. Navy’s Military Sealift Command and its Combat Logistics Force. As David Gompert and Terrence Kelley have argued: “Air-Sea battle does not solve the underlying problem of U.S. forces’ growing vulnerability in the Western Pacific. That is the result of military-technological trends, geographic realities, and the limitations and costs of defending overseas deployments.” Europe was, and remains, one single geostrategic entity connected by land. In the Asia-Pacific, Japan, South Korea, Australia and Taiwan are more dispersed and far apart from each other, with neutral and non-aligned states dotted here and there in between. U.S. forces need to be able to move around a lot of vessels, aircraft, troops, and munitions. A significant problem here is that U.S. and allied air and naval bases in the western Pacific are vulnerable to Chinese conventional ballistic and cruise missile strikes. The closer the base is to Chinese territory, the more vulnerable it is. Guam is also within range of cruise missile strikes launched from aircraft...

### **Conventional alone fails—too many logistic hurdles and countermeasures**

Keith Payne 2017, Missouri State strategic studies professor, April, “A New Nuclear Review for a New Age,” <http://www.nipp.org/wp-content/uploads/2017/06/A-New-Nuclear-Review-final.pdf>

The time also has not arrived to adopt a declaratory policy of no first use. This issue was hotly debated in the waning months of the Obama Administration. Advocates argued that the deterrent threat of nuclear escalation is neither credible nor necessary. They see it as not credible because they cannot imagine a scenario in which the United States would be the first to escalate to nuclear use. They see it as unnecessary, asserting that US conventional forces are sufficient to deter any regional aggressor. In addition, they see the views of US allies opposed to US adoption of a no-first-use policy as unnecessarily constraining the United States and assert that over time “they’ll come around.” Moreover, they argue that adopting no first use would reinforce the nonproliferation regime at a time of mounting concern about whether it will survive the 2020 NPT review conference (which will be the 50th anniversary of its entry into force and the 25th anniversary of its indefinite extension). These arguments are fundamentally flawed and unpersuasive. First, US nuclear deterrence threats can be credible if vital US and allied interests are at stake, and there are plausible scenarios in Europe, Northeast Asia and elsewhere wherein such stakes could be at risk. In addition, US conventional forces are potent, but nuclear deterrence of non-nuclear attack remains essential. US conventional forces must be

amassed, often from great distance, and then must defeat enemy air defenses before gaining air supremacy—processes that may be in doubt in some cases, and could take many weeks or months, a time during which US allies could be highly vulnerable. Correspondingly, the views of key US allies in strong opposition to a US no-first-use declaratory policy must not be dismissed given the importance of assurance as a primary US nuclear policy objective.<sup>2</sup> As the Strategic Posture Commission concluded in its 2009 report, abandoning the long-standing US policy of calculated ambiguity in favor of no first use would be unsettling to some allies and could undermine deterrence.<sup>3</sup> Calculated ambiguity remains the more prudent approach.

### **Eliminating rapid nuclear launch authority crushes 2nd-strike deterrence against a launched or imminent nuclear attack.**

**Wittes and Hennessey 2017**—Benjamin Wittes, Senior Fellow in Governance Studies at the Brookings Institution, Co-Director of the Harvard Law School–Brookings Project on Law and Security, Susan Hennessey, Fellow in National Security in Governance Studies at the Brookings Institution, Managing Editor of the Lawfare blog (“Can Anyone Stop Trump If He Decides to Start a Nuclear War?” *Foreign Policy*, August 24<sup>th</sup>, <https://foreignpolicy.com/2017/08/24/can-anyone-stop-trump-if-he-decides-to-start-a-nuclear-war/>)

Here, it’s worth considering an arresting comment made a few years ago on a panel at American University by Brad Berenson, who served in the White House Counsel’s office under Bush. The presidency is an office, he said, of terrifying power — power that includes the authority to order a preemptive nuclear strike on Tehran. The only thing, Berenson said, scarier than a president who has such power in his sole command is a president who does not have that power.

At least in some circumstances, Berenson is clearly right. Consider, for example, the circumstances in which a foreign country has actually launched nuclear weapons against the United States, and there are only minutes before an American city is destroyed. While there is an argument that submarine-based weapons ensure a U.S. retaliatory capability and there is thus no need any longer for an instant response, it is certainly unconstitutional to deprive the commander in chief of the power to respond to an ongoing military operation against the United States. Under these circumstances, where there is no time to go to Congress for approval, there simply has to be some degree of unreviewable presidential power to launch — just as there is unreviewable power to order the military to repel a foreign surprise attack of any other kind. Now consider circumstances just short of that — where the adversary’s missiles are not yet in the air but their launch is genuinely imminent. Under both domestic constitutional law and international law, a preemptive response is lawful under such circumstances. So to put restrictions on the president’s launch authority in this type of situation would, again, bureaucratize the nation’s defense under time-sensitive crisis conditions. If it did so effectively, it could gravely undermine American deterrence by sending a message to adversaries that the U.S. nuclear capacity is tied up with red tape — at least until someone launches a nuclear strike against the country.

But there’s also reason to doubt that it would do so effectively. To whom, after all, could Congress give the power to stymie the president on a launch to whom the president could not issue an order and remove that person if he or she does not comply? Imagine if the Saturday Night Massacre took place not over the firing of a special prosecutor but over a nuclear launch order and you begin to see how difficult it would be to limit at least time-sensitive presidential launch orders.

This aspect, at least, of the president’s power over the nuclear arsenal is almost certainly irremediable by Congress — that is, it inheres in the nature of the presidential office. A case in point is the recent bill proposed by Sen. Ed Markey (D-Mass.) and Rep. Ted Lieu (D-Calif.) that would forbid the president from using the U.S. military to “conduct a first-use nuclear strike unless such strike is conducted pursuant to a declaration of war by Congress that expressly authorizes such strike.” Even if Trump had real-time satellite imagery of North Korea arming an



intercontinental ballistic missile with a nuclear warhead for launch toward California, this bill would prevent nuclear preemption in the absence of congressional action. Imagine dealing with the Cuban missile crisis under such a law.

It's easier to imagine restrictions in circumstances where conditions of imminent strike are not present. That is, Congress probably could pass a law preventing the president from, say, on his own ordering an unprovoked nuclear strike against Great Britain — or North Korea — because he felt like it in the absence of an imminent threat. But such a strike is already unlawful; under international law, it's a resort to force not in self-defense. And under domestic constitutional law, it's a nondefensive use of force without authorization from Congress. True, there is currently no procedural check on a president who wants to do it, and one could add one. But a president willing to behave unlawfully and order the strike in the first instance is probably willing to ride roughshod over the procedural check as well.

The more realistic check here is the possibility that military officers might refuse to carry out the unlawful order, a possibility that already exists under current law and that Sarah Grant and Jack Goldsmith have explored in detail on Lawfare. The other check, unfortunately the main one, is presidential sanity — a condition not obviously in play right now.

The point is that it's not entirely clear what protections additional legal restrictions would add. Moreover, distinguishing between conditions of imminence and conditions short of imminence is tricky; the executive branch has interpreted the concept of imminence sufficiently expansively that it's reasonable to expect that regulation of any plausible use of nuclear weapons would either impinge on the space the executive branch regards as its sole domain or would merely redundantly stand for the proposition that the president may not do that which he may not do.

## **US credibility with allies is the most influential factor on nonproliferation**

Mark Fitzpatrick 2016, Executive Director, IISS-Americas, Asia's Latent Nuclear Powers, pg 165-167

Non-proliferation in Northeast Asia depends foremost on the credibility of US deterrence. There is no reason for any of the three actors to entertain the risks associated with indigenous nuclear weapons as long as they can rely on the US for ultimate security. Even Taiwan, which does not enjoy an explicit US alliance relationship, can count on de facto US protection. To state the converse, a failure of the US to ensure effective deterrence would be the strongest stimulant to a proliferation cascade in Northeast Asia. Japan, for example, worries about China's recent nuclear force modernisation. There is equal if not greater concern about China's growing conventional anti-access/area-denial capabilities and whether they might someday preclude America's ability to come to Japan's defence. Combined with China-US mutual vulnerability at the strategic level, a perceived superiority of China's conventional capabilities conceivably could cause Japan to consider a nuclear dimension of its own. In Taiwan, notwithstanding the trend against all forms of nuclear technology, resumed tensions with the mainland that appear on the horizon mean that nuclear hedging options cannot be ruled out, especially if the US were to become isolationist or its perceived commitment to defend Taiwan were to weaken. In the Korean Peninsula, a loss of credibility of the US extended deterrence could make the nuclear imbalance between North and South intolerable to Seoul. US retreat from Northeast Asia is unlikely. Successive US administrations have given high priority to extended deterrence, in both word and deed. Obama's "pivot to East Asia" or rebalancing policy extended a similar posture of the George W. Bush administration. The Pentagon is developing countermeasures to China's capabilities, and Obama has reassured Japan that the Security Treaty commitment applies to the Senkaku/Diaoyu islands, the Japanese-administered territory that is most susceptible to Chinese "grey zone" provocations. The emphasis in the 2015 US-Japan defence guidelines on "seamless" bilateral responses provided additional reassurances. The unsurpassed current

strength of the US alliances with both Japan and the ROK lends confidence to a prediction that neither country will go nuclear in the foreseeable future.

### **Proliferation undermines US hegemony and power projection**

Kroenig 2015 – Matthew, Associate Professor and International Relations Field Chair in the Department of Government and School of Foreign Service at Georgetown University and a Senior Fellow in the Brent Scowcroft Center on International Security at The Atlantic Council, “THE HISTORY OF PROLIFERATION OPTIMISM: DOES IT HAVE A FUTURE?”  
[http://www.npolicy.org/books/Moving\\_Beyond\\_Pretense/Ch3\\_Kroenig.pdf](http://www.npolicy.org/books/Moving_Beyond_Pretense/Ch3_Kroenig.pdf)

The spread of nuclear weapons also disadvantages American’s national security by constraining U.S. freedom of action. As the most powerful country on the planet with the ability to project power to every corner of the globe, the United States has the ability to threaten or protect every other state in the international system. This is a significant source of strategic leverage and maintaining freedom of action is an important objective of U.S. national security policy. As nuclear weapons spread, however, America’s military freedom of action is constrained. The United States can use, or credibly threaten to use, force against nonnuclear states. The threat of military action against nuclear-armed states is much less credible, however, because nuclear-armed states can deter U.S. military action with the threat of nuclear retaliation. In January 2012, for example, Iran threatened to close the Strait of Hormuz, a narrow Persian Gulf waterway through which roughly 20 percent of the world’s oil flows, and the United States issued a counterthreat, declaring that Washington would use force to reopen the Strait if necessary. If Iran had had nuclear weapons, however, Washington’s threats would have been much less credible. Would a U.S. President really be willing to risk nuclear war with Iran in order to reopen the Strait? Maybe. But, maybe not. While the United States might not be deterred in every contingency against a nuclear-armed state, it is clear that, at a minimum, the spread of nuclear weapons greatly complicates U.S. decisions to use force.

### **Adopting an NFU Policy Is Dangerous in Many Ways**

Harvey 2019. John Harvey. July 5, 2019. John Harvey is a physicist who has spent his career working to advance U.S. nuclear weapons programs and policies including in senior posts in the Departments of Energy and Defense. He retired from government service in 2013 as principal deputy assistant secretary of defense for nuclear, chemical, and biological defense programs.  
<https://warontherocks.com/2019/07/assessing-the-risks-of-a-nuclear-no-first-use-policy/>

Over the past few decades, the United States has weighed the risks and benefits to both its nuclear deterrence posture and its non-proliferation policy goals of renouncing first-use of nuclear weapons in a conflict. In President Barack Obama’s [2010 Nuclear Posture Review](#) and, later, near the end of Obama’s second term as part of a [mini-nuclear review](#), the adoption of a so-called “no-first-use” pledge was considered. Both times, Obama rejected adopting such a policy. [The 2018 Nuclear Posture Review](#) carried out by the Trump administration reviewed the policy and reaffirmed Obama’s decision.

Recently, Rep. Adam Smith, the new chair of the House Armed Services Committee, and Sen. Elizabeth Warren [have called for a U.S. no-first-use policy](#). Well-meaning supporters of no-first-use are taken with the simplicity of the idea and its potential for bolstering U.S. “moral leadership” in the world. After all, they argue, the United States has no intention of starting a nuclear war so why not just say so? Given the recent revival of this topic, it is appropriate to review some of the considerations that caused both Obama and Trump, as well as Presidents Bill Clinton and George W. Bus, to reject adopting a policy of no-first-use.

There are three major risks in adopting a nuclear declaratory policy of no-first-use. The first risk is to deterrence: Adversaries, absent a fear of reprisal, could be emboldened to act against U.S. interests. The second risk is to U.S. assurances to its allies: If America adopts no-first-use, then allies could lose confidence in America’s extended deterrence commitments. The third risk is to the goal of non-proliferation: Such lost confidence among America’s allies could spur them to

develop and field their own nuclear weapons. The purported benefits of adopting a no-first-use policy, which I discuss below, are insufficient to offset these inherent risks.

Every president since Dwight Eisenhower has viewed nuclear weapons not just as another weapon of war augmenting conventional arms, but as a special kind of weapon to be used only in the direst circumstances when vital U.S. security interests are at stake. The main concern in adopting a policy of no-first-use is that it could lead an enemy to believe that it could launch a catastrophic, non-nuclear strike against the United States, its allies, or U.S. overseas forces without fear of nuclear reprisal. Consider, for example, a North Korean biological attack on an American city that kills hundreds of thousands, or an artillery bombardment of Seoul with chemical weapons, resulting in the deaths of tens of thousands of Korean and U.S. forces and citizens. Would North Korea be more willing to contemplate such attacks if it thought it was immune to a U.S. nuclear response? Recent presidents have been unwilling to accept the risk to deterrence that would accompany a pledge of no-first-use.

Two factors might mitigate such risks to deterrence were a no-first-use policy adopted. First, a no-first-use pledge is unlikely to appear credible to an adversary contemplating major aggression. For example, North Korea is unlikely to base any military planning to reunify the Korean Peninsula by force, or plans for its regime survival after an unsuccessful effort to achieve that objective, on a U.S. promise of no-first-use. Consider China's existing no-first-use pledge, which has not caused the United States to moderate its own nuclear posture one iota. Few states will risk their national security based on a declaratory policy that can be reversed overnight. Dominic Tierney, an academic who supports a no-first-use policy, [eloquently addresses this point](#):

Viewed through a strategic — and perhaps more cynical — lens, the no-first-use doctrine also has a huge credibility problem. For the U.S. pledge to truly matter, a president who otherwise favors a nuclear first strike would have to decide not to press the button because of this policy. But in an extreme national crisis — one involving, say, North Korean nuclear missiles — a president is unlikely to feel bound by America's former assurance. After all, if a country is willing to use nuclear weapons, it's also willing to break a promise.

Second, it's not at all clear that an adversary could count on U.S. public opinion to act as a "brake" on an American president contemplating first use in response to a catastrophic non-nuclear attack. Several surveys conducted by Scott Sagan and Ben Valentino look at the American public's willingness to support first-use under such circumstances. The results reveal a surprising level of support. [Sagan and Valentino thus argue](#):

Would we drop the bomb again? Our surveys can't say how future presidents and their top advisers would weigh their options. But they do reveal something unsettling about the instincts of the U.S. public: When provoked, we don't seem to consider the use of nuclear weapons a taboo, and our commitment to the immunity of civilians from deliberate attack in wartime, even with vast casualties, is shallow. Today, as in 1945, the U.S. public is unlikely to hold back a president who might consider using nuclear weapons in the crucible of war.

In other words, the American public might well demand, rather than oppose or simply tolerate, a nuclear response to a catastrophic non-nuclear attack — no-first-use pledge or not.

Thus, an adversary's doubts about a no-first-use pledge and its belief that the U.S. public may well support breaking such a pledge in response to a horrific attack could mitigate some of the deterrence risks of adopting a no-first-use policy. However, the degree to which those risks would be mitigated remains uncertain and, so far, no president has been willing to find out.

Building and maintaining strong alliances has been a centerpiece of America's effort to produce and sustain a more peaceful world. Critical to this is assuring U.S. allies of America's commitment to their defense by extending to them the full range of U.S. military power.

Many countries, including those that share a border with an adversary that presents a threat to their very existence, see no-first-use as a weakening, symbolic or otherwise, of U.S. extended deterrence. In response to Chinese provocations in the western Pacific and North Korea's nuclear tests and missile launches, Japan regularly seeks, both in official consultations and ongoing military cooperation, assurances that America will continue to fulfill its security commitments to protect the island nation. Some in South Korea have already pressed to [explore an increased U.S. nuclear presence](#) in their country to further deter regional threats. Loss of confidence in U.S. security commitments could cause some allies to seek accommodation with regional adversaries in ways that run counter to U.S. interests.

Moreover, both South Korea and Japan, similar to many NATO allies, have latent nuclear weapons capabilities characteristic of advanced industrial economies with commercial nuclear power. Any perceived wavering of U.S. security commitments could cause allies to develop and field their own nuclear weapons.

Further, America's allies have made their feelings about America adopting a no-first-use policy known. U.S. officials consulted America's allies extensively in the lead up to the 2010 and 2018 nuclear posture reviews. This dialogue has been rich and productive and, in some ways, surprising in its candor. For example, in 2009, Japanese officials briefed the Perry-Schlesinger Commission, established by Congress to seek a bipartisan approach to the U.S. nuclear posture, on specific features and capabilities of the U.S. nuclear deterrent that [Japan viewed as critical to its security](#). In related dialogue, many foreign counterparts to U.S. officials, including those of Japan, [have urged the United States](#) not to adopt a no-first-use policy.

In light of these risks, what are the benefits of a U.S. no-first-use pledge that could offset them? Would it, [as Sen. Warren claims](#), “[reduce] the risk of a nuclear miscalculation by an adversary in a crisis ...”? If an adversary launches a nuclear weapon because it has misinterpreted America's actions or intentions, or even if it launches a nuclear weapon by accident, the consequences would, of course, be tragic. Such actions must be assiduously avoided with clear crisis communications, transparency, and strong negative control of nuclear weapons. But, a U.S. no-first-use pledge, by itself, is unlikely to have any effect at all in preventing such a situation from arising in the first place.

Some argue that adopting such a policy would set an example and cause nuclear adversaries to follow America's lead. If promises were kept, this would allow the U.S. conventional juggernaut to win wars absent the threat of nuclear use. But this outcome is unlikely. Indeed, several nuclear adversaries have acquired, or are currently seeking, nuclear weapons precisely to offset superior U.S. conventional capabilities. Again, quoting Tierney:

“If [a President] made a dramatic announcement of no-first-use, it would probably have less impact than people think because other countries wouldn't follow suit, especially if they're weak.”

Would U.S. adoption of no-first-use cause other countries to be more inclined to cooperate with the United States to work toward a strengthened nonproliferation regime and less likely to acquire nuclear weapons of their own? No evidence exists to support such a contention and, as

noted above, allied perceptions of weakened extended deterrence could actually spur proliferation.

Another purported benefit of adopting a no-first-use policy is that it might silence criticism from Non-Aligned Movement countries that periodically denounce the United States for, among other things, not having disarmed unilaterally. This is unlikely. Indeed, the enormous progress made in the decades leading up to the end of the Cold War and beyond in ending the nuclear arms race, reducing nuclear stockpiles, and eliminating other global nuclear threats has done little to moderate such rhetoric.

Along these lines, some view no-first-use as a means to [delegitimize nuclear weapons in general](#), and, more specifically, as a first step to removing from alert and eventually getting rid of the inter-continental ballistic missile (ICBM) leg of the Triad. After all, if ICBMs are not survivable unless used first, and if America's policy becomes one of no-first-use, then why does the United States need them at all, much less on alert? This claim misrepresents both the role of America's ICBMs and the obligations that America would be under as part of a no-first-use pledge. Thus, such arguments are unlikely to sway any president who views a nuclear Triad as an essential element of U.S. security for managing risk in a dangerous world.

Many who favor a U.S. no-first-use pledge see it as a way to signal to the world a reduced role for nuclear weapons in U.S. national security. Reducing that role, and hence the likelihood that the United States would ever have to resort to nuclear use, is a laudable goal advanced in the nuclear posture reviews of the three previous presidents. But, in regard to its foreign impact, the actual security benefits that could justify accepting the risks of this policy are not well understood, nor are they quantifiable, and so far they have not tipped the scales toward the adoption of no-first-use.

Those who support no-first-use as a way to advance U.S. security must explain what has changed for the better in the international security environment since 2010 that would cause this president, or this Congress, to reverse earlier presidential decisions rejecting it.

It has been a precept of U.S. policy for decades that deterrence is strengthened when an adversary is unsure of the precise conditions under which the United States would employ nuclear weapons — essentially, that uncertainty breeds caution. America has made exceptions, however, in certain cases to advance concrete security interests — for example, in regard to nuclear negative security assurances provided to non-nuclear weapons states that are parties in good standing with the Nonproliferation Treaty. If the United States were to adopt a policy of no-first-use, it would present clear risks for deterrence, for regional security more broadly, and to the non-proliferation regime, while the supposed benefits of such a policy that could offset such risks are largely illusory. It is thus no surprise that since the dawn of the nuclear age presidents across party lines have rejected no-first-use. The United States should continue to do so.

### **First strike against Iran is the only way to prevent them from developing nuclear weapons**

Peter LaChance 2015, President and CEO @ Trinity Partners, M.S. in Engineering, "Maybe it's Time to Nuke Iran – a Little", <https://www.buckscountycouriertimes.com/217f5bbe-3146-5491-918d-e9367dec6cec.html>

I know: a rather shocking title. Those of us born before the early 1960's remember the days in the late 1970's when some conservative youths hosted "Nuke Iran" parties. My good friend Steve hosted such a party at his family's home - I was all-in as a fellow organizer. Looking back,

his parents were quite tolerant of our testosterone-laden bravado. It was really an excuse to play great music very loudly, drink plenty of beer, and enjoy friendships that wouldn't last after college. Those were the good old days. Nowadays I am concerned about Iran's reticence to agree to a nuclear non-proliferation deal. They are literally a few months away from developing a nuclear warhead. It's painfully obvious that our side is more interested in making a deal - any deal - than they are. What should America do when the evil whack-jobs who reign over the Iranian people won't agree to the easiest of deals? Some say walk away. I say we get tough - really tough - BEFORE Iran completes building a nuclear bomb. Now is the time to destroy some of Iran's key uranium enrichment and plutonium processing facilities located in sparsely populated areas. Perhaps it's just a matter of making a cyber attack, but I suspect that would only have a short-term impact. We could use Special Forces, but Iran's facilities are buried deep and are well protected. Tactical nuclear weapons would do the job without losing American lives and with limited radiation fallout. From what I've read about weapons grade uranium and plutonium (that we would be destroying), it would burn and melt instead of exploding. We could help Iran seal up the aftermath. However we choose to get it done, we would then come back to a negotiating table where the Iranian government will be anxious to deal. Still no deal? Vaporize another facility or two. Eventually, Iran would be on its knees for a change.

### **A first strike against Iran would help combat nuclear prolif**

Matthew Kroenig 14, PhD in Political Science @ Berkeley, Associate Professor of Government and Foreign Service at Georgetown University and a Senior Fellow in the Scowcroft Center for Strategy and Security at the Atlantic Council, "A Time to Attack: The Looming Iran Nuclear Threat", MacMillan, google books

Moreover, a strike would also have broader strategic benefits. Not only would it stop Iran from building nuclear weapons, it would remove the threat that is currently causing other countries in the Middle East to hedge their nuclear bets. It would also help to assuage fears among leaders around the world that the nonproliferation regime might crumble. A strike, therefore, would stem the spread of nuclear weapons in the Middle East and bolster the global nonproliferation regime around the world. To be sure, some leaders might conclude from a strike that the United States is an unpredictable superpower and that they therefore need nuclear weapons to protect themselves, but the clearer take-home message from an attack on Iran is that the United States is serious about enforcing violations of the NPT and stopping the spread of nuclear weapons. In the future, leaders who think about starting a nuclear weapons program will be dissuaded by the fear that such a course of action might be more likely to result not in acquiring the bomb, but in being bombed.

### **The fact that NFU has been debate for a long time and never adopted demonstrates consensus amongst experts that it is not a good idea**

Heinrichs 2020. Rebecca Heinrichs, Senior Fellow, Hudson Institute. "Reject No First Use Nuclear Policy." Newsweek. August 24, 2020. <https://www.newsweek.com/reject-no-first-use-nuclear-policy-opinion-1527037>

There is an activist effort among nuclear idealists to mobilize public opinion and urge elected officials to pledge to support a policy of "no first use" (NFU). Put simply, an American president who would adopt a policy of NFU would be declaring that the United States will never be the first country to use a nuclear weapon in a war.

No doubt these activists were thrilled to see Democratic presidential nominee Joe Biden offer an enthusiastic recent embrace of NFU. But his position is not new; [at a campaign event last year](#), Biden confirmed that he has supported NFU for more than 20 years. Reasonable observers may therefore ask: Why hasn't his desire been realized?

The reality is that every single American president, Democrat and Republican alike, has rejected an NFU declaration because to do so would invite unacceptable risk that could yield catastrophic war—and for no tangible benefit at all.

This is true for four reasons.

First, adopting an NFU policy invites a strategic non-nuclear attack against the American people, our allies and our interests. An NFU declaration broadcasts to America's enemies that they can proceed with a chemical weapons attack on U.S. forces and their families, can proceed with a biological attack on an American city and can proceed with an overwhelming conventional attack against critical U.S. assets, all without fear of nuclear retaliation. Any would-be enemy could carry out an infinite number of attacks short of a nuclear attack, while the NFU-endorsing U.S. president assures their safety from our nuclear weapon arsenal.

An NFU policy is especially unwise now, while the United States contends with not one, but two major power threats. Both Russia and China are expanding their military capabilities and have acted in ways that demonstrate their willingness to attack sovereign nations and redraw borders.

Of the two, China poses the single greatest threat to America's national security and way of life. General Secretary Xi Jinping and his Chinese Communist Party (CCP) are now in the midst of a rapid modernization of their military. China has the most diverse missile force on the planet, and has launched more ballistic missiles for testing and training than the rest of the world combined. Nor has Beijing neglected its nuclear capabilities—although their efforts are furtive, we know the CCP is investing in a large force, with delivery systems capable of launching nuclear weapons. Director of the Defense Intelligence Agency Lt. General Robert P. Ashley, Jr. [said in 2019](#) that the intelligence community believes China is likely to "at least double the size of its nuclear stockpile in the course of implementing the most rapid expansion and diversification of its nuclear arsenal in China's history." [The number commonly cited](#) for China's stockpile is around 300. But it is plausible that there are actually many more than 300, as one highly credible former government official confided to me.

What's more, China likely has an advanced chemical warfare program. Like its nuclear program, China does not reveal to the United States what, exactly, it does have. But the more we learn about the CCP's gross abuse of religious minorities, including of the Uyghurs imprisoned in Xinjiang concentration camps, the more our hackles should be raised. Western democracies view any use of chemical weapons as unconscionable, but the [evidence shows](#) our enemies do not share this view.

Although the scope of Russia's economy and the ambitiousness of its national objectives pale in comparison to China's, Russia still seeks to undermine the United States and our allies wherever it can. Like China, it is investing heavily in its nuclear forces and has repeatedly violated U.S. arms control agreements. To take one particularly abhorrent and brazen example, on August 6, 2018, the Russian government used chemical weapons on British soil in an attempt to assassinate a former Russian spy, eliciting sanctions by the United States. That brings us to the second reason NFU is a terrible idea. The United States should be working to create more *complex* calculations for China and Russia—not making their calculations *simpler*. Every policy decision related to arms control, the make-up and quality of America's own weapons and our public declarations should be made with one goal in mind: to deter acts of aggression against the United States. The United States must keep our options open, maintain some ambiguity about what we may do and force our enemies to make complex

calculations and always doubt whether an act of aggression against the United States would be worth the punitive cost.

Third, our adversaries would hardly restrict themselves if America were to adopt a true NFU policy. In fact, we have reason to believe that many *are willing* to use nuclear weapons first in a conflict.

Start with Russia. Russian officials have implied their comfort with the use of nuclear weapons in a conventional conflict, have at times threatened nuclear use against purely defensive systems and, in [at least one instance](#), an official stated that the conditions for a Russian nuclear use could as small as a regional, or even a local, conflict. In June 2015, the Obama administration's deputy secretary of defense, Robert Work, and then-Vice Chairman of the Joint Chiefs of Staff Admiral James Winnefeld [informed Congress](#) that "Russian military doctrine includes what some have called an 'escalate to de-escalate' strategy—a strategy that purportedly seeks to de-escalate a conventional conflict through coercive threats, including limited nuclear use." Then-Trump administration Secretary of Defense James Mattis [testified](#) to the same concern in 2018.

As for China, the Chinese have purported to embrace NFU. Way back on October 16, 1964, China [declared](#) that it "will never, at any time or under any circumstances, be the first to use nuclear weapons." For decades, that was blindly accepted by those who wished to believe it—including NFU proponents in the U.S. But current Commander of U.S. Strategic Command Admiral Richard, when speaking about the Chinese NFU policy, told senators in February 2020, "I could drive a truck through that no first use policy." He went on to explain that the Chinese nuclear program lacks transparency and fosters distrust. Worse, the CCP's dubious claims to disputed Chinese territory raises concerns about how, and where, Beijing may employ nuclear weapons. Moreover, the CCP is engaged in a robust disinformation campaign across all areas of its government and society: America should not presume anything but deceit from our number one geopolitical threat.

Finally, adopting an NFU policy would cause allied nations, who have rightly forsworn nuclear weapons and who rely on the American nuclear umbrella, to doubt our assurances. And if allies and partners can no longer rely on our nuclear umbrella, they will develop their own. The result of the nuclear idealists' efforts, zealous as their mission is to take the world down to zero nuclear weapons, could ironically result in precipitous nuclear proliferation.

President Obama, recipient of the Nobel Peace Prize for, in part, his denuclearization aspirations, eschewed an NFU declaration. Though he was ideologically motivated to pursue the idealist nuclear disarmament agenda, reality and the weight of responsibility to protect the American people won the day. It is inexplicable that his vice president, who has decades of experience grappling with the global threats and has had a front-row seat to these executive decisions, would still hold to the notion that NFU is good policy.

We must see the world as it is. We might wish that other nations will follow our lead and do as we do, but other nations do not hold to our same moral judgments. We should not assume that our adversaries will make the same strategic and operational decisions that we make. The historical evidence shows that they are not inspired by our efforts to de-emphasize nuclear weapons, either by unilaterally moving toward lower numbers or by placing restrictions on testing. Every American president should keep our options open, maintain strategic ambiguity and reject NFU.



