

Approach 1: Consistency with Disarmament Commitments - Jarrod, Mike, Sean, Shruti, Gordon

R: The USFG should substantially change its nuclear posture to be more consistent with its nuclear disarmament commitments.

Question 1 – Consistency or compliance?

SEAN

Consistent vs. compliance

- “Consistent” is a term of art that is most commonly found in the literature (see page 1 of the “[Disarmament Commitments](#)” research paper from day 1). That research paper mentions that NPT Review Conference President Sergio de Queiroz Duarte mentions “commitments” to the disarmament clause of the NPT. This type of contextual evidence is representative of toxic specific evidence talking about what types of policy changes are and are not ‘consistent with’ disarmament obligations. Consistent is also used much more than consistency.
- In many contextual instances, the two words are used interchangeably (“Disarmament Commitments” paper)
John Loretz, Program Director, International Physicians for the Prevention of Nuclear War, April 7, 2009, —Zero Nuclear Weapons is the New Benchmark|| <http://ippnweupdate.wordpress.com/2009/04/07/zero-nuclear-weapons-is-the-new-benchmark/>
The US and Russian leaders also promised —to work together to fulfill our obligations under Article VI|| of the Non-Proliferation Treaty (NPT). For most of the near-40-year history of the NPT, the nuclear weapon states have paid lip service to their nuclear disarmament **commitment** under Article VI, while doing everything possible to avoid **compliance**. As a result, the patience of the non-nuclear-weapon states—and their willingness to comply with their own non-proliferation obligations—has been strained to the breaking point. With a crucial five-year review of the NPT scheduled for 2010 and a final preparatory meeting coming up in New York next month, solid evidence of this **fresh intent to comply** with Article VI will be essential.
- “Compliance” may open the door to forcing the AFF to abide by/create a verification and/or monitoring system for solvency. This might create specific references to elements of the 13 steps
- Recommendation – ‘Consistent with’ because it is commonly used in the literature and fulfills its function of narrowing the direction of potential plans.

Question 3 – “To be more consistent?”

The prevalence of the term “consistent” over “consistency” in the literature (see Disarm Commitments from Day one) creates a strong incentive to use the term “to be” despite concerns over the passive voice and e-prime. There are several reasons why these concerns are overstated:

1. The use of “to be” in this instance is not the type of usage that scholars who write about e-prime are critiquing. This is used in an active fashion to denote a direct relationship to our disarmament commitments so it avoids most of the critiques of the passive voice.
 - a. E-prime is designed to avoid the following
http://www.trans4mind.com/personal_development/GeneralSemantics/KensEPrime.htm :
 - i. Passives
 - ii. Existential Questions, such as 'Who am I'
 - iii. Progressive verb forms
2. There is a question of whether or not “to be” on its own represents the passive voice. It does not appear in any of the lists of words to be avoided in the use of e-prime. Not all uses of forms of “to be” fit into the critique. Ward argues :

“This use of the verb 'to be' in the progressive senses doesn't appear to involve predication and identity, and does not appear easy to translate without losing important meanings in the language. To use 'continues to ...', etc, makes for strange English! 'At this moment I continue to garden.’”

http://www.trans4mind.com/personal_development/GeneralSemantics/KensEPrime.htm
3. The term is in the resolution, but will not appear in most teams plan texts. Team who do not wish to engage in this debate can simply leave the term out of the plan text.
4. There are both advantages and disadvantages (<http://www.ctlow.ca/E-Prime/E-Prime.html>) to using e-prime so a team that is faced with this criticism would have a ready supply of answers.

Question 3 - Article VI specification – Nuclear Disarmament commitments vs. NPT Article VI

- The “mandate,” under international law, to disarm is *always* supported by Article VI of the NPT. Adding “Article VI” would almost be redundant. However, Article VI has no explicit implementation in the NPT.

Sharon Squassoni, Specialist in National Defense, Foreign Affairs, Defense, and Trade Division – Congressional Research Service, April 26, 2005, CRS Report for Congress, —NPT Compliance: Issues and Views|| <http://fas.org/sgp/crs/nuke/RS22125.pdf> p. 2

The NPT itself is silent on how to assess compliance, how to resolve compliance disputes, and what procedures to follow in the event of non-compliance. Specifically, there is no verification of the obligations in Articles I and II not to transfer or receive nuclear weapons.⁵ The treaty contains no language on verification other than to require states to accept nuclear safeguards (Article III). The Director General of the International Atomic Energy Agency (IAEA) reports on safeguards implementation every year, and sometimes on specific compliance issues at Board of Governors meetings. In terms of Articles IV and VI, the treaty offers no definitions or ways of assessing whether states are living up to their obligations. Nuclear weapon states, in the past, have provided information about their nuclear cooperation efforts, their contributions to the IAEA’s technical cooperation program, and descriptions of their efforts toward nuclear disarmament. At the 2000 NPT Review Conference, the parties agreed to what have become known as the —13 Practical Steps|| toward disarmament, but the United States has since withdrawn its support for those steps.⁶ NPT member states may seek to further clarify obligations in Articles IV and VI at the May 2005 Review Conference.

- There are no other clear disarmament commitments that the US has consented to. Even if they exist, they would be redundant because the essential component of the commitments are always to outlaw possession of the weapons. In other words, there would be no functional difference.

Sharon Squassoni, Senior Associate, Carnegie Endowment Nonproliferation Program, 2009, “Grading Progress on 13 Steps Toward Disarmament” http://www.carnegieendowment.org/files/13_steps.pdf p. 9

The nuclear disarmament process must necessarily go above and beyond the NPT, particularly since there are now four states outside the regime. Yet it must also travel through the NPT, since nonproliferation is a sine qua non of disarmament. It is therefore essential that all states take the disarmament discussions seriously within the treaty review process, with an eye toward a safer world.

- The recommendation to withhold this phrase from the resolution is also in step with using “consistent” versus “compliance” in the resolution. We should probably not bind the AFF to prove that the status quo NPT “compliance” measures are sufficient to solve or make the AFF create new compliance verification for Article VI of the NPT.
- The DA to adding “Article IV of the NPT” to the resolution: any debater or coach who just took a casual glance at this resolution might assume that the AFF is always required to defend the NPT (which seemed to be against the consensus of the topic committee). This might be especially unattractive for kritik AFFs that will claim that the System is bad anyway. The specification does not provide any meaningful limit and only legitimates practices, however tenuous, that assail the affirmative for defending the NPT.
- Recommendation: withhold the additional ‘npt’ phrase from the resolution. Nuclear disarmament commitments serves all of the limiting functions.

Question 4 - Nuclear Posture versus Nuclear Weapons Posture

Preference: Nuclear Posture.

Several people use the phrases interchangeably, but for the following three reasons we prefer nuclear posture.

1) Best definitions use nuclear posture: Gordon's paper includes evidence from former Secretary of Defense Perry to define nuclear posture. The Perry evidence is one of the most explicit descriptions of what is and is not topical under this resolution. Given his former position and the benefit of having clear contextual evidence we prefer to use the phrase nuclear posture. Here is the beginning of that evidence:

William J. Perry, Chairman, 2009

America's Strategic Posture: The Final Report of the Congressional Commission on the Strategic Posture of the United States, May 2009 http://www.usip.org/strategic_posture/final.html p. 19-20

The design of the **nuclear posture** must follow from an understanding of the strategic purposes it is intended to serve. In the prior chapter the Commission argued that the international conditions do not now exist that might permit the United States and the other nuclear-weapon states to relinquish their nuclear arsenals. What purpose then do they serve today? And how should an understanding of purpose guide their design? It is important to begin here with a definition. The **nuclear posture** consists of the following elements:

2) The Nuclear Posture Review is coming to an administration near you: As the season ramps up the administration is set for another NPR. Although it is traditionally a highly classified document, administrations typically utilize the NPR to leak significant changes to our overall nuclear posture. Scholars and journalists have already started debating what changes should occur. As a result, we should find excellent solvency evidence within these articles and essays. Given that most of these scholars and journalists are writing in anticipation of the NPR they are more likely to use the phrase Nuclear Posture. Gordon's paper included evidence from Strategic Insights. Here is another example of what these articles look like:

<https://www.carnegieendowment.org/publications/index.cfm?fa=view&id=683&prog=zgp&proj=znpp>

3) Quantitative Support : A simple Google search yielded the following results:

"Nuclear Posture"- 84,200 hits

"Nuclear Weapons Posture" – 21,600 hits

Question 5 - Can the Affirmative Include Multilateral Actions as Part of this wording?

Debaters may attempt to redefine the literature base to serve particular competitive purposes, but denying the affirmative team the ability to engage in negotiations as part of the means of changing US nuclear posture appears to be largely incompatible with much of the history of US nuclear policy. This would also be an unfair relocation of ground for some of the prominent affirmative plans that rely on the ability to negotiate deals that would enhance US disarmament commitments.

There are a number of reasons why the only germane and reasonable interpretation of mechanisms to change nuclear posture to become more consistent with disarmament commitments must include the option to negotiate, including:

The goal or direction of the topic wording specifically authorizes it. The foundation of the US's disarmament commitment, Article VI of the NPT, clearly authorizes more than just unilateral steps,

<http://www.fas.org/nuke/control/npt/text/npt2.htm>

Each of the Parties to the Treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a Treaty on general and complete disarmament under strict and effective international control.

This is reinforced by recent evidence suggesting that negotiated approaches, including the FMCT, represent the best means of satisfying this last topical mandate.

C.F. Chyba, professor of astrophysics and international affairs at Princeton University and served on the National Security Council staff in the first Clinton administration, December 2008, "Time for a Systematic Analysis: U.S. Nuclear Weapons and Nuclear Proliferation," Arms Control Today, p. 3 http://www.armscontrol.org/act/2008_12/Chyba

This connection between disarmament and nonproliferation was strongly reaffirmed as a condition of the 1995 indefinite extension of the NPT and expanded in the "13 practical steps" toward implementing Article VI agreed to at the 2000 NPT Review Conference. Certain commitments, including a Comprehensive Test Ban Treaty (CTBT) and the proposed fissile material cutoff treaty (FMCT), were made in 1995 by the nuclear-weapon states as part of a package to obtain the NPT's indefinite extension, so it is difficult not to see fulfilling this bargain as important to the ongoing health of the NPT. Indeed, Jayantha Dhanapala, president of the 1995 NPT Review and Extension Conference, has written that "[t]he extension of the NPT was achieved largely because the long stalled [CTBT], generally seen as the litmus test of nuclear disarmament, was close to adoption." [15] Asked in a private survey what steps nuclear-weapon states could best take to demonstrate their commitment to disarmament, diplomats from 16 non-nuclear-weapon states prioritized the CTBT and FMCT, followed by further nuclear stockpile reductions. [16]

The mechanism, change nuclear posture, contains a couple of direct mechanisms for policy change, including arms control negotiations. Using the same William Perry chaired report that helps to define nuclear posture, we see arms control as one of three central mechanisms of change.

William J. Perry, Chairman, America's Strategic Posture: The Final Report of the Congressional Commission on the Strategic Posture of the United States, May 2009
http://www.usip.org/strategic_posture/final.html p. ix

This basic strategy has deep foundations in U.S. policy; nevertheless we recognize that it will be difficult to execute. It will require a thoughtful analysis of the new security problems we face today in order to arrive at the right policy balance between these two different ways of safeguarding our security. It will require U.S. leadership abroad, with an emphasis on leadership by example. And it will require bipartisan consensus at home on these transcendentally important nuclear issues. The American nuclear posture has been, and will continue to be, highly controversial, including among commission members. Nevertheless our commission was able to reach consensus language on most of the critical issues related to military capabilities, nonproliferation initiatives, and arms control strategies of the United States.

Perry's report also cites examples from President Clinton's leadership that explain how negotiations, like those that produced the Russian deal, were an important part of nuclear posture. This example works well in the context of our wording, because it introduces the idea that negotiations are part of the 'real world' nuclear posture and would meet our disarm commitment requirement. It acknowledges that nuclear postures also have elements that would be non-topical (the emphasis on hedging).

William J. Perry, Chairman, America's Strategic Posture: The Final Report of the Congressional Commission on the Strategic Posture of the United States, May 2009
http://www.usip.org/strategic_posture/final.html p. xi

The need to strike such a balance has been with us at least since the ending of the Cold War. President Clinton's nuclear posture spoke of the need to "lead but hedge." That policy called for the United States to lead the world in nuclear arms reductions and in programs to prevent the proliferation of nuclear weapons, while at the same time maintaining a nuclear deterrent force that hedged against adverse geopolitical developments. The leadership aspect of this policy was demonstrated most vividly by a cooperative program with Russia, established under the bipartisan Nunn-Lugar Program, which was responsible for the dismantlement of more than 4,000 nuclear weapons and assisted Ukraine, Belarus, and Kazakhstan in removing all of their nuclear weapons. U.S. leadership was also demonstrated by signing the Comprehensive Test Ban Treaty (CTBT) and negotiating with Russia a new arms control treaty, neither of which, however, was ratified by the Senate. The Bush administration initially took a different view of overall strategic priorities, but last year Secretary Gates explicitly reaffirmed that the American nuclear posture would be based on "lead but hedge."

This is consistent with examples from the Bush (43) presidency. His NPR prevented involvement in these good faith negotiations.

Ronald S. McCoy, MD, Chair of Malaysian Physicians for the Prevention of Nuclear War and is a former Co-President of IPPNW, 2002, "Slippery Slope To Damnation"
<http://www.ippnw.org/ResourceLibrary/NPRBrief.pdf>

The NPR effectively precludes further US "good faith" participation in international negotiations on nuclear disarmament under Article VI of the Nuclear Non-Proliferation Treaty (NPT). Together with its announced withdrawal from the Anti-Ballistic Missile Treaty, its rejection of the Comprehensive Nuclear Test Ban Treaty, its development of new nuclear weapons, and its implicit threat to use nuclear weapons against non-nuclear weapon states, the United States is losing its credibility as a responsible member of the international community. The posture of avoiding constraints on its nuclear policies will be viewed by many nations as a blatant breach of "good faith," tantamount to a US "breakout" from the NPT.

Other policy advocates tie together a changed posture with the development of these arms control regime.

John Deutch, Institute Professor at the Massachusetts Institute of Technology. He served as Deputy Secretary of Defense, Chairman of the Nuclear Weapons Council, and Director of Central Intelligence during the Clinton administration and as Undersecretary of Energy during the Carter administration, January/February 2005, Foreign Affairs, "A Nuclear Posture for Today"
<http://www.cfr.org/publication.html?id=8066>

A new U.S. nuclear posture should include consideration of several current and prospective arms control measures. The most controversial is the Comprehensive Test Ban Treaty (CTBT), which would permanently ban all future nuclear tests, with no provision for withdrawal. The United States has not ratified the CTBT (nor have India, Iran, Israel, North Korea, and Pakistan), but 109 nations (including the United Kingdom, France, Russia, and China) have.

Proponents of the CTBT see its potential for strengthening international norms against nuclear weapons as vital to nonproliferation efforts. They argue that it is especially worthwhile because, with the stockpile stewardship program in place, the United States does not need testing to confirm stockpile safety or reliability. Opponents respond that the CTBT has verification problems, that testing has no direct effect on either the pace or the likelihood of success by determined proliferators such as North Korea and Iran, and that, given the uncertainty of future requirements for new weapons, forgoing forever the possibility of new tests is a mistake.

Both sides in this debate have strengths and weaknesses. Opponents of the CTBT are correct that testing should be allowed if the assurance of stockpile safety or reliability requires it. However, they exaggerate the treaty's verification problems: only very low-yield tests (or tests that insulate the explosion from the surrounding earth) have much of a chance of escaping detection. CTBT advocates, meanwhile, are correct that the treaty would bolster international nonproliferation norms, even if their assertion that no test will ever again be necessary to assure stockpile safety is dubious. (In fact, some CTBT advocates may oppose testing precisely because they believe that confidence in the reliability of nuclear weapons will erode without it—to the point that nuclear weapons will lose their deterrent value and become irrelevant.) Those who attempt to sidestep the issue by claiming that a future president could invoke the supreme national interest to renounce the treaty are implying that it is better to accept a treaty despite major reservations than to work to craft one that resolves difficult issues.

There is, fortunately, a sensible middle ground in this dispute: a CTBT of limited term. Former national security officials Brent Scowcroft and Arnold Kanter have proposed entering into the CTBT for a five-year term (since all agree that U.S. nuclear tests will not be necessary anytime soon), with possible five-year extensions, after ratification by the Senate. Such a compromise would have the advantage of strengthening nonproliferation efforts—and thus be preferable to having no CTBT—while leaving open the possibility of not extending the treaty if geopolitical circumstances or stockpile considerations change. A similar approach worked with the NPT, which was ratified in 1969 for a 25-year period, with review conferences every five years, and then made permanent in 1995. Opponents argue that it would be difficult or impossible at this stage to change the terms of the internationally negotiated CTBT. But the CTBT does not enter into force

until 44 countries, including the United States, have ratified it, so the choice is whether the United States prefers a renewable five-year CTBT to no CTBT at all.

A second still-unratified arms control treaty is the fissile material production cutoff treaty, originally proposed by President Bill Clinton at the United Nations in 1993; it would prohibit new production of separated plutonium or highly enriched uranium. This is an attractive measure, because the United States and other nuclear states have ample amounts of weapons-usable material. The ban would prohibit any state from undertaking new production, thus serving basic nonproliferation objectives, and would limit the total amount of material that must be kept secure.

The UN Conference on Disarmament has been deliberating the cutoff treaty for several years. On August 4, 2004, the U.S. ambassador to the UN, John Danforth, announced that the Bush administration, although supportive of the ban, does not believe that effective verification is feasible. This and earlier statements by the Bush administration imply that alleged verification shortcomings will be a barrier to an agreement. But with a new nuclear posture, opposition to this treaty would be inexplicable. No arms control treaty is perfectly verifiable; there is always a risk that a violation will go undetected. Verification could be enhanced if signatory countries agreed to inspections. Traditionally, the United States and other nuclear weapons states have not accepted such inspections, but there is now little reason for the United States to resist them. Here again, transparency is in the interest of the United States. A signatory violating the treaty would be stigmatized as a proliferator before the international community. And a state that refused to sign the treaty would be signaling its interest in acquiring material suitable for making a bomb.

There is one more Perry card that is helpful to frame why this negotiation mechanism is part of posture changes that would be allowed. He provides a great metaphor about the goal of disarmament that can help us understand why this approach is conceptually important to the way nuclear posture will be discussed.

William J. Perry, Chairman, America's Strategic Posture: The Final Report of the Congressional Commission on the Strategic Posture of the United States, May 2009
http://www.usip.org/strategic_posture/final.html p. xi-xiii

President Obama has stated that the United States should work towards the goal of the global elimination of nuclear weapons. But he has also said that until that goal is reached, he is committed to maintain a nuclear deterrent that is safe, secure, and reliable. This is, in a sense, the most recent formulation of the "lead but hedge" policy. All of the commission members believe that reaching the ultimate goal of global nuclear elimination would require a fundamental change in geopolitics. Indeed, if the vision of nuclear elimination is thought of as the "top of the mountain," it is clear that it cannot be seen at this time. But I believe that we should be heading up the mountain to a "base camp" that would be safer than where we are today. And I also believe that getting the international political support necessary to move to this base camp will be greatly facilitated if the United States is seen as working for the ultimate elimination of nuclear weapons. At the base camp, we would have nuclear forces that are safe, secure and can reliably serve the perceived need for deterrence and extended deterrence; we would be headed in the direction of nuclear elimination; and our nuclear forces would be stable—that is, they should be sustainable even under normal fluctuations in geopolitical

conditions. This base camp concept serves as an organizing principle for my own thinking about our strategic posture, since it allows the United States to both lead and hedge. While some of the commissioners do not accept the feasibility or even the desirability of seeking global elimination, all commissioners accept the view that the United States must support programs that both lead and hedge. That is, all commissioners support programs that move in two parallel paths—one path which reduces nuclear dangers by maintaining our deterrence, and the other which reduces nuclear dangers through

arms control and international programs to prevent proliferation.

The first path—reducing nuclear dangers through deterrence—includes clarifying our declaratory policy by stating that our nuclear forces are intended for deterrence of an attack against the United States or its allies, and would be used only as a defensive last resort. This policy would be backed up with programs that assure that our nuclear forces are safe, secure, and reliable, and in sufficient quantities to perform their deterrent tasks. Our report spells out a number of steps needed to maintain the effectiveness of the stockpile as long as it is needed. Foremost among these is providing robust support for the technical programs at the weapon laboratories, including continuing to push the frontiers of computing and simulation and enhancing the laboratories' experimental capabilities. The weapons labs have achieved remarkable success with the Stockpile Stewardship Program and the Life Extension Program, but this will become more difficult as the weapons age. Moreover, continued success is endangered by recent personnel and funding cuts. We believe that the technical staff of the weapons labs is a unique national asset, and that this should be recognized by giving the labs an expanded national security role, to include fundamental research, energy technologies, and intelligence support. We recommend ways of enabling that expanded role. Besides dealing with the intellectual infrastructure of the weapons complex, we also make recommendations on how to sustain the aging physical infrastructure.

The second path—reducing nuclear dangers by arms control and preventing proliferation—includes negotiating arms reduction treaties with Russia that make significant reductions in the nuclear stockpiles of Russia and the United States, beginning with a follow-on treaty to replace the Strategic Arms Reduction Treaty (START) before it expires at the end of this year. We note that follow-on treaties entailing deeper reductions would require finding a way of dealing with very difficult problems, to include “tactical” nuclear forces, reserve weapons and bringing in other nuclear powers.

If anything, this topic approach provides a check against affirmatives that simply intend to begin open-ended negotiations. Because President Obama has expressed a willingness to negotiate, it is possible to see that the topical burden to ‘change’ US posture would increase as the SQ evolves. This both proves negotiations are a central means of nuclear posture and that we should be encouraging substantial changes in those approaches.

J. Peter Scoblic, executive editor - The New Republic, April 8, 2009, “World Without End, Amen: Why Obama's stance on nukes makes me sleep better at night.” <http://www.tnr.com/politics/story.html?id=dbbfa229-c23d-4a84-818f-b81ed043e10e>

Which brings us to the particulars of Obama's plan. Contra Bush, Obama has pledged to reduce the role of nuclear weapons in U.S. national security strategy. (There's another Nuclear Posture Review slated for this year.) He promised to negotiate a follow-on to START, not the more permissive Moscow Treaty. He said he would negotiate a verifiable halt to the production of fissile material for weapons purposes. He also pledged to "immediately and aggressively" seek Senate ratification of the Comprehensive Test Ban Treaty, which President Clinton signed in 1996* but which the Senate rejected two years later amid fears (stoked by right-wing commentators) that it wasn't verifiable and that our nuclear arsenal would decay if we didn't periodically explode a warhead.

In short, there is ample evidence clearly expressing the view that a prominent means of changing nuclear posture is the negotiation of specific arms control regimes. This doesn't require that affirmatives negotiate, but both crucial

phrases in the topic (change – nuclear posture and consistency with disarm commitments) provides evidentiary support for the role of negotiation.

Conclusion

R: The USFG should substantially change its nuclear posture to be more consistent with its nuclear disarmament commitments.

We end where we started. It is large, but directional and clearly capable of responding to the evolution of the topic literature over the course of the year.