

November/December Topic Analysis

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

Definitions:

Should: Merriam-Webster clarifies that [should](#) is used to express obligation, propriety, or expediency. Essentially, the use of the term “should” in the resolution poses the question of whether or not the United States has an obligation to adopt a policy of no first use or whether it is proper to do so.

Declaratory nuclear policy: The [Arms Control Association](#) explains that a declaratory nuclear policy is a country’s expression of when and under what circumstances they reserve the option to use nuclear weapons as well as the circumstances in which they rule out the use of nuclear weapons.

No first use: The [Council on Foreign Relations](#) clarifies that a policy of no first use (NFU) is a pledge that a country undertakes to only use nuclear weapons in retaliation for a nuclear attack against its territory or military personnel. Because these pledges are a component of declaratory nuclear policy, there are no enforcement mechanisms between states to ensure these policies are upheld.

Background:

In 1948, during the very beginnings of what would become the Cold War, the Soviet Union enforced the Berlin Blockade, sheltering Berlin from Western nations. In response to this, the US adopted a “first use if necessary” stance on its nuclear weapons¹. This policy would permit the US to use their nuclear weapons without a direct nuclear attack if they believed it was necessary to do so. This is the policy that the US maintains today; the 2018 Nuclear Posture Review conveyed the message that the US would “employ nuclear weapons only in extreme circumstances” to defend the US and its allies². This policy was consistent under both the Obama and Trump administrations, but Biden has argued that he has supported an NFU for twenty years³, so it’s possible that the election results could impact this topic - specifically feasibility arguments. The Trump administration also notes that the US reserves the right to use nukes in response to non-nuclear attacks that constitute a great deal of potential concern.

Current US policy also affirms that the US “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,” a stance also known as negative security assurance⁴. The important thing to note here is that China, Russia, and North Korea do not fall under US negative security assurance. China and Russia are both nuclear weapons states under the NPT, and North Korea withdrew from the treaty in 2003. Therefore, the US could potentially launch nuclear strikes on these countries preemptively. China is currently the only NPT nuclear weapon state with an NFU policy⁵, a position they reiterated in 2018. Russia had an NFU policy from 1982 to 1993, and India adopted a conditional NFU policy in 2003 that says India reserves the right to use nuclear weapons if it is the victim of an attack from biological or chemical weapons⁶. The US has considered but never declared an NFU policy and remains the only country to have used

¹ Holdren, John P.. "The overwhelming case for no first use." Taylor & Francis. 13 Jan. 2020.

<https://www.tandfonline.com/doi/abs/10.1080/00963402.2019.1701277>

² Bulletin of the Atomic Scientists. "What is US nuclear policy, exactly? - Bulletin of the Atomic Scientists." Bulletin of the Atomic Scientists. 18 Apr. 2018. <https://thebulletin.org/2018/04/what-is-us-nuclear-policy-exactly/>

³ Heinrichs, Rebecca. "Reject 'no first use' nuclear policy | Opinion." Newsweek. 24 Aug. 2020. <https://www.newsweek.com/reject-no-first-use-nuclear-policy-opinion-1527037>

⁴ Union of Concerned Scientists. "No First Use Explained." Union of Concerned Scientists. 7 May. 2020. <https://www.ucsusa.org/resources/no-first-use-explained>

⁵ Resources For Journalists. "Nuclear Declaratory Policy and Negative Security Assurances | Arms Control Association." Armscontrol.org. Mar. 2018.. <https://www.armscontrol.org/factsheets/declaratorypolicies>

⁶ Union of Concerned Scientists. "No First Use Explained." Union of Concerned Scientists. 7 May. 2020. <https://www.ucsusa.org/resources/no-first-use-explained>

nuclear weapons in conflict. NATO has always opposed a US NFU declaration and has never ruled out US first use⁷.

⁷ Kevin Lamarque. "‘No First Use’ and Nuclear Weapons." Council on Foreign Relations. 17 Jul. 2018.
<https://www.cfr.org/backgrounder/no-first-use-and-nuclear-weapons>

Aff Arguments:

Nuclear Proliferation

As with any military topic, you can expect arms race to be an important argument here, and probably the most common. The Bulletin of the Atomic Scientists has the best explanation of this that I've seen. They explain that when the country with the most well-established conventional forces in the world insists that it still needs nuclear weapons to defend itself, it is logically conceding that every other country has the right to acquire its own nuclear weapons⁸. Put simply, the US cannot reasonably ask other countries to refuse to develop and use nukes when they themselves insist on the necessity of them. If the US really wants to work on global disarmament, they ought to adopt an NFU policy⁹.

The other aspect of this argument is the fact that current deterrence and non-proliferation efforts are clearly not working as intended, as countries continue to develop and threaten to use their nuclear arsenals¹⁰. If the US really stands for proliferation, they need to adjust their nuclear policy in order to reflect that. The use of nuclear weapons can have devastating impacts and should be avoided at all costs. When the US used nuclear weapons on Japan in 1945, 140,000 people died in Hiroshima alone¹¹. A nuclear attack at present would have the ability to kill hundreds of millions of people and impact about a billion more through radiation effects¹².

The important thing to remember with this argument is that adopting an NFU policy does not mean abolishing a nuclear arsenal. As far as proliferation goes, an NFU would not mean the US gets rid of all of its nuclear weapons, and it ensures that the country still has the ability to use them. Just be aware of this if you aim to run this argument.

⁸ Holdren, John P.. "The overwhelming case for no first use." Taylor & Francis. 13 Jan. 2020.
<https://www.tandfonline.com/doi/abs/10.1080/00963402.2019.1701277>

⁹ Tannenwald, Nina. "It's Time for a U.S. No-First-Use Nuclear Policy". Texas National Security Review. n.d.
<https://tnsr.org/roundtable/its-time-for-a-u-s-no-first-use-nuclear-policy/>

¹⁰ Seibold, James. "Escalating Chances for Nuclear Conflict as Geopolitical Instability Grows." AdVantageNEWS. 17 Sep. 2020. https://www.advantagenews.com/opinion/escalating-chances-for-nuclear-conflict-as-geopolitical-instability-grows/article_53bb849c-a5fc-5800-836f-23bdb8d076b0.html

¹¹ Biswas, Soutik. "Bells Toll to Mark 75 Years since Hiroshima Bomb." BBC News. 6 Aug. 2020.
<https://www.bbc.com/news/world-asia-53660059>.

¹² Mizokami, Kyle. "Hundreds Of Millions Would Die In A Nuclear War. Could It Happen?" The National Interest.. 7 Feb. 2020. <https://nationalinterest.org/blog/buzz/hundreds-millions-would-die-nuclear-war-could-it-happen-121006>.

Reducing Miscalculation

The US currently has the highest risk of miscalculation since the Cuban Missile Crisis¹³. The current nuclear arsenal of the US and the arsenals of the US's adversaries put the country at high risk of experiencing accidental nuclear escalation. President Trump has displayed a willingness to use nuclear weapons first against North Korea, or potentially Russia or China, which could result in a grave miscalculation and an opponent could launch a nuclear attack on the US¹⁴. In essence, the adversary could fear that the US may attack first and wipe out their nuclear arsenal, which could pressure the adversary into attacking first to ensure that this does not happen¹⁵. Taking first use off the table would minimize such miscalculations, as countries would no longer fear the US attacking with nuclear weapons first. This would leave more time to make more calculated and careful decisions. An NFU policy would also clarify to other countries that the sole reason for the US's nuclear arsenal is deterrence, which would mitigate nuclear miscalculations as well¹⁶.

Checks and Balances

This may seem like a fairly minor argument in comparison to some of the more clear impacts, but checks and balances are a crucial part of US government and without them, there would be a massive overreach of power. The current US nuclear policy reflects an overreach of power and ignorance of the system of checks and balances. The president has the sole authority to authorize use of nuclear weapons¹⁷. Though the president can accept advice in this area, he does not need any advisors to agree with him, nor does he need the approval of Congress, in order to launch nukes. Once the order to launch nukes has been issued, neither the military nor Congress can overrule those orders. An NFU policy would remove the option for the president to unilaterally order nuclear attacks without first being attacked with nuclear weapons.

¹³ Borger, Julian. "Nuclear Risk at Its Highest Since the Cuban Missile Crisis, Says Ex-Energy Secretary." The Guardian. 16 Feb. 2018. <https://www.theguardian.com/world/2018/feb/15/nuclear-weapons-ernest-moniz-accident-risk>

¹⁴ Wolfsthal, Jon and Fetter, Steve. "No First Use and Credible Deterrence." Harvard University. 15 Aug. 2019. <https://cisssm.umd.edu/sites/default/files/2019-08/2018-jpnd-nfu.pdf>

¹⁵ Union of Concerned Scientists. "No First Use Explained." Union of Concerned Scientists. 7 May. 2020. <https://www.ucsusa.org/resources/no-first-use-explained>

¹⁶ Gould, Joe. "Warren, Smith Introduce Bill to Bar US from Using Nuclear Weapons First." Defense News, 30 Jan. 2019. <https://www.defensenews.com/congress/2019/01/30/warren-smith-introduce-bill-to-bar-us-from-using-nuclear-weapons-first/>

¹⁷ Congressional Research Services "Defense Primer: Command and Control of Nuclear Forces". In Focus. 10 Jan 2020. <https://fas.org/sgp/crs/natsec/IF10521.pdf>

The current method of launching nuclear attacks in the US constitutes an overstep in presidential power. Constitutionally, only Congress has the ability to declare war, but a nuclear strike ordered by the president without anyone else's approval would almost definitely constitute a declaration of war on the target country. Granting this power to the president without requiring congressional approval is a clear violation of checks and balances and could be considered unconstitutional¹⁸.

Global Stability

Current nuclear policy in the US fosters an environment of uncertainty in geopolitics. The ability of the US to use nuclear weapons first in a conflict fuels tension and increases the likelihood of nuclear escalation in crises¹⁹. An NFU declaration would contribute to military deterrence and enhance international respect for the laws of war and just war²⁰ as understood through the lens of international relations theory. With the declaration of an NFU, the US would reduce risk of miscalculation and war, as previously discussed, which would alleviate global tensions and increase trust around the world²¹. It would also signal to US adversaries that the US does not want to see nuclear war and will take all the necessary actions to avoid escalation²². It would also decrease the likelihood of nuclear terrorism, as countries would have less of an incentive to provide nuclear materials to terrorist organizations in order to carry out attacks²³.

US Military Strength

This argument conveys the idea that there is no need for the US to use a nuclear weapon first in a conflict because its military strength is already superior. The US spends more

¹⁸ Kimball, Daryl G. "The Case for a U.S. No-First-Use Policy." Arms Control Association. Oct. 2018.

<https://www.armscontrol.org/act/2018-10/focus/case-us-first-use-policy>

¹⁹ Acton, James. "Technology, Doctrine, and the Risk of Nuclear War." American Academy of Arts and Sciences. 2020. <https://www.amacad.org/publication/emerging-risks-declining-norms/section/4>

²⁰ Perkovich, George. "Do Unto Others: Toward a Defensible Nuclear Doctrine." Carnegie Endowment for International Peace. 2013. https://carnegieendowment.org/files/do_onto_others.pdf

²¹ Tierney, John, Bell; Alexandra; et al. "No First Use: Myths vs. Realities." Center for Arms Control and Non-Proliferation. 2020. <https://armscontrolcenter.org/issues/no-first-use/no-first-use-myths-vs-realities/>

²² Thakur, Ramesh. "Why Obama should declare a no-first-use policy for nuclear weapons". The Bulletin. 19 Aug. 2016. <https://thebulletin.org/2016/08/why-obama-should-declare-a-no-first-use-policy-for-nuclear-weapons/>

²³ Sagan, Scott. "The Case for No First Use." Survival. June-July 2009. <https://www.almendron.com/tribuna/wp-content/uploads/2015/04/the-case-for-no-first-use-sagan.pdf>

on its military than the next ten countries combined²⁴. With the threat of nuclear retaliation, the risk calculus for the use of nuclear weapons should demonstrate that there is no reason for the US to strike first, given their conventional military capabilities. The US also directly outranks some of its major adversaries in military capabilities; the US vastly outspends Russia and has much stronger military forces than Russia²⁵. Any assertion that Russia has a stronger military can be attributed to the fact that they have made more calculated and strategic decisions in which conflicts to involve themselves in. Nuclear weapons do not even deter most conventional attacks, and there is no reason for the US to use nuclear weapons under such circumstances²⁶.

²⁴ Peterson, Peter. The United States Spends More on Defense than the Next 10 Countries Combined. 15 May 2020, <https://www.pgpf.org/blog/2020/05/the-united-states-spends-more-on-defense-than-the-next-10-countries-combined>.

²⁵ Ruehl, John. "Is Russia's Military Better Than America's?." RealClearDefense. 9 Aug. 2018. https://www.realcleardefense.com/articles/2018/08/09/is_russias_military_better_than_americas_113704.html

²⁶ Wolfsthal, Jon and Fetter, Steve. "No First Use and Credible Deterrence." Harvard University. 15 Aug. 2019. <https://cissm.umd.edu/sites/default/files/2019-08/2018-jpnd-nfu.pdf>

Neg Arguments:

Increased Chance of Conventional Warfare

Nuclear weapons have proven to reduce the likelihood of conflict, because the fear of a retaliatory response deters the aggressor from making any attack on nuclear powers²⁷. With an NFU policy, however, the deterrence is not as great. Countries would be able to begin conventional wars with the US, and the US would only be able to respond conventionally, without use of nuclear weapons²⁸. Given that the risk calculus of war would change, it's possible that countries could begin conventional wars with the US or its allies²⁹. China and Russia are quickly expanding their military capabilities, pursuing aggressive policies in Europe and Asia, and threatening US allies. North Korea maintains the world's fourth largest army and continues to issue threats against the US and its allies in Asia, and the country keeps such a tight lock on the press that it's difficult to know what advanced military capabilities they may have³⁰. If the US were unable to use their nuclear arsenal, their chances of defeating China or Russia would be hindered, and the country could experience a decisive military defeat³¹.

Conventional warfare could easily escalate to nuclear warfare³², but the US would no longer have the option to launch nukes preemptively. Considering China is the only nuclear power with an NFU policy, other nuclear countries, such as Russia or North Korea, could use nuclear weapons against the US. North Korea has not ruled out first use, making this a possibility³³. If North Korea did launch an attack on a US ally, it would likely be South Korea.

²⁷ Gerald Brown. "Conflict and Competition: Limited Nuclear Warfare and the New Face of Deterrence | Global Security Review." Global Security Review. 16 Dec. 2019. <https://globalsecurityreview.com/conflict-competition-limited-nuclear-warfare-new-face-deterrence/>

²⁸ Zimmerman, Paul. 09-16-2017. "Nuclear Weapons Deter Conventional War" Gulf News. 16 Sep. 2017. <https://gulfnews.com/opinion/op-eds/nuclearweapons-deter-conventional-wars-1.2091053>

²⁹ Rogin, Josh. "U.S. allies unite to block Obama's nuclear 'legacy'." Washington Post. 14 Aug. 2016. https://www.washingtonpost.com/opinions/global-opinions/allies-unite-to-block-an-obama-legacy/2016/08/14/cdb8d8e4-60b9-11e6-8e45-477372e89d78_story.html

³⁰ Miller, Franklin. "The Dangers of No-First-Use." Bulletin of the Atomic Scientists, 22 Aug. 2016. thebulletin.org/2016/08/the-dangers-of-no-first-use/

³¹ Jared Keller, 11-16-2018, "Despite Record Spending, the U.S. Military Would Be at 'Grave Risk' in a War With Russia or China," Pacific Standard. 16 Nov. 2018. <https://psmag.com/economics/war-experts-are-skeptical-the-american-military-could-defeat-russia-or-china>

³² Colby, Elbridge. "Nuclear vs. Conventional Warfare." Arkansas Online, 21 Aug. 2016. www.arkansasonline.com/news/2016/aug/21/nuclear-vs-conventional-warfare2016082/

³³ Panda, Ankit. "'No First Use' and Nuclear Weapons." Council on Foreign Relations, 2018. www.cfr.org/background/no-first-use-and-nuclear-weapons.

Without even using nuclear weapons, North Korea could potentially kill more than 300,000 South Koreans in just a few days³⁴.

Nuclear Proliferation

I'll put forward all of the same warnings on this side that I addressed in the development of proliferation on the pro side. Proliferation can be argued on either side of this topic, and these arguments would cross apply nicely. The logic on the neg goes that if the US commits to never using their nuclear weapons first, then other countries that rely on the US for defense would become anxious and develop domestic nuclear programs³⁵. This, of course, would accelerate nuclear proliferation^{36,37}. The US's nuclear capabilities help assure over 30 allies of their security, providing a clear foundation for non-proliferation³⁸. This would specifically impact East Asia, as a large part of the reason Japan and South Korea have not nuclearized thus far is the fact that they are protected by the US. Without the security assurance they have right now, it's very possible that South Korea could nuclearize, followed closely by Japan³⁹.

Opposition from Allies

During his time as president, Obama considered adopting an NFU policy. The primary reason he decided against this was his concern over how US allies would react - Japanese Prime

³⁴ Yochi Dreazen. "North Korea: What War with the US Would Look Like." Vox. 8 Feb. 2018.

www.vox.com/world/2018/2/7/16974772/north-korea-war-trump-kimnuclear-weapon

³⁵ Heinrichs, Rebecca. "Reject 'no first use' nuclear policy | Opinion." Newsweek. 24 Aug. 2020.

<https://www.newsweek.com/reject-no-first-use-nuclear-policy-opinion-1527037>

³⁶ Tan, Anjelica. "A Commitment to Never Use Nuclear Weapons First Will Not Make Us Safer." TheHill, 26 Dec. 2019. <https://thehill.com/opinion/national-security/475965-a-commitment-to-never-use-nuclear-weapons-first-will-not-make-us-safer>

³⁷ Harvey, John. "Assessing the Risks of a Nuclear 'No First Use' Policy." War on the Rocks, 5 Jul. 2019.

<https://warontherocks.com/2019/07/assessing-the-risks-of-a-nuclear-no-first-use-policy/>

³⁸ Miller, Franklin. "The Dangers of No-First-Use." Bulletin of the Atomic Scientists, 22 Aug. 2016.

<https://thebulletin.org/2016/08/the-dangers-of-no-first-use/>

³⁹ Terry, Sue. "An American Nuclear Umbrella Means a Lot to Northeast Asia." New York Times., 26 Oct. 2016.

www.nytimes.com/roomfordebate/2016/10/26/a-nuclear-arsenal-upgrade/anamerican-nuclear-umbrella-means-a-lot-to-northeast-asia

Minister Shinzo Abe voiced his opposition to NFU⁴⁰, and other states feel similarly⁴¹. Notably, South Korea, France, and Britain have privately communicated concerns regarding a US NFU policy⁴². If the US were to declare an NFU policy, it seems clear that they would isolate many of their key allies. As we have previously discussed, this could make allies develop their own nuclear weapons, but the fact that the US also undermined their trust may push them towards a new alliance. If China, for example, were to offer more protection for their allies through their nuclear umbrella, it is likely that countries would turn to China⁴³. It would also reflect a contradiction in US policy that could push allies out, as the US has recently worked to remind its allies of its commitment to protecting other countries⁴⁴.

Harm NATO

I'll reiterate here that a lot of arguments you'll come across on this topic interact well and tend to build off of each other. This argument is no different. The idea that an NFU declaration would hurt NATO stems off of the argument regarding harming US allies. As mentioned in the background, NATO has always opposed US adoption of an NFU policy as nuclear weapons are a core component of NATO's deterrence and defense efforts⁴⁵. NATO has an inherent distrust of Russia and argues that the ability of nuclear first use is an important tool in deterring Russian aggression⁴⁶.

The US's alliance with NATO is integral to the nation's ability to maintain peace. NATO deters regional adversaries from pursuing major conventional wars in Europe and facilitates trade between European countries and the US⁴⁷. It is therefore crucial that the US remains on

⁴⁰ Wolfsthal, Jon and Fetter, Steve. "No First Use and Credible Deterrence." Harvard University. 15 Aug. 2019. <https://cisssm.umd.edu/sites/default/files/2019-08/2018-jpnd-nfu.pdf>

⁴¹ Harvey, John. "Assessing the Risks of a Nuclear 'No First Use' Policy." War on the Rocks, 5 Jul. 2019. <https://warontherocks.com/2019/07/assessing-the-risks-of-a-nuclear-no-first-use-policy/>

⁴² Rogin, Josh. "U.S. allies unite to block Obama's nuclear 'legacy'." Washington Post. 14 Aug. 2016. https://www.washingtonpost.com/opinions/global-opinions/allies-unite-to-block-an-obama-legacy/2016/08/14/cdb8d8e4-60b9-11e6-8e45-477372e89d78_story.html

⁴³ Lee, Geun. "China's Soft Power and Changing Balance of Power in East Asia." Asia Foundation. August 2010. <https://www.asiafoundation.org/resources/pdfs/7.LEEGeun.pdf>

⁴⁴ Roberts, Brad "Debating Nuclear No-first-use, Again." Survival Magazine. 21 May. 2019. <https://cgsr.llnl.gov/content/assets/docs/Debating-Nuclear-No-first-use-Again.pdf>

⁴⁵ NATO. "NATO's Nuclear Deterrence Policy and Forces," NATO. 16 Apr. 2020. https://www.nato.int/cps/en/natohq/topics_50068.htm

⁴⁶ Downman, Maxwell. "Where Would Europe Stand on a US No First Use Policy." Outride Post. n.d. outrider.org/nuclear-weapons/articles/where-would-europe-stand-us-no-first-use-policy/

⁴⁷ Wemer, David. "Here's why the United States needs NATO," Atlantic Council. 19 Jun. 2017. <https://www.atlanticcouncil.org/blogs/newatlanticist/here-s-why-the-united-states-needs-nato/>

NATO's good side and does not take any actions to undermine the alliances it maintains under NATO.

Political Polarization

The former bipartisanship regarding US nuclear policy has eroded over the past decade, and adoption of an NFU policy would only worsen political disputes⁴⁸. Because nuclear policy can change from president to president, US legislators must ensure they adopt a balanced approach to nuclear strategy so that it is not overturned by the next president. Enacting an NFU policy would be taking a strong stance that would deepen political divisions and would likely not last from president to president. The divisions over NFU are so pronounced that even those in the same party find themselves on different sides of the issue: early Democratic primary debates saw an exchange between Elizabeth Warren and Steve Bullock over Senator Warren's advocacy for an NFU policy⁴⁹.

⁴⁸ Roberts, Brad "Debating Nuclear No-first-use, Again." Survival Magazine. 21 May. 2019.

<https://cgsr.llnl.gov/content/assets/docs/Debating-Nuclear-No-first-use-Again.pdf>

⁴⁹ Kheel, Rebecca "Warren, Bullock spar over 'no first use' nuclear policy," TheHill. 30 Jul. 2019.

<https://thehill.com/policy/defense/455472-warren-bullock-spar-over-no-first-use-nuclear-policy>