# Notes

This was supposed to be my new larp aff TOC – I starting doing prep for it pretty early because I was disappointed with how I did at Harvard. It’s unfinished af but there’s some dece larp stuff that I cut.

# To do

Larp

* Add ptx f/l

K/nc/theory

* Port from policy

# 1AC – Under Pressure

## 1AC ~3:00

### Advantage – Miscalc

#### Historical near-misses and security failures prove miscalculation is likely now.

Patrick and Evanoff ‘19 [Stewart M. Patrick and Kyle L. Evanoff, (Stewart M. Patrick is James H. Binger senior fellow in global governance and director of the International Institutions and Global Governance (IIGG) Program at the Council on Foreign Relations (CFR). His areas of expertise include multilateral cooperation on global issues; U.S. policy toward international institutions, including the United Nations; and the challenges posed by fragile and post–conflict states. Patrick is the author of The Sovereignty Wars: Reconciling America with the World, as well as Weak Links: Fragile States, Global Threats, and International Security. He also writes the blog, The Internationalist. Kyle L. Evanoff—research associate for International Institutions and Global Governance at the Council on Foreign Relations.) "The Lingering Specter of Nuclear War" Council on Foreign Relations, 3-7-2019, https://www.cfr.org/blog/lingering-specter-nuclear-war, DOA:1-27-2020 // WWBW]

However, the historical record provides **ample grounds for concern**, given how close nuclear powers have come to using these weapons against one another, both intentionally and inadvertently. The **litany** of near-misses and false alarms makes for sobering reading. During the 1962 Cuban Missile Crisis, U.S. President John F. Kennedy assessed the likelihood of nuclear war to be more or less a coin flip. In 1995, Russia misinterpreted a Norwegian rocket launch as a possible attack. And just last year, the State of Hawaii’s Emergency Management Agency erroneously issued an incoming ballistic missile alert. Seth Baum, executive director of the Global Catastrophic Risk Institute, estimates the rate of such incidents at one per year. Magnifying the risk of accidental or unauthorized nuclear war is uncertainty over the security of command and control structures to manage and use these weapons. In his harrowing 2017 tell-all, The Doomsday Machine: Confessions of a Nuclear War Planner, Daniel Ellsberg (of Pentagon Papers fame) chronicles the pathologies of the early U.S. nuclear apparatus. These included **strong incentives to subordinate safety** to offensive readiness, as well as “safeguards” against unauthorized use that consisted of little more than a sealed envelope. Given these shortcomings, Ellsberg notes, Stanley Kubrick’s classic satire Dr. Strangelove bore uncanny resemblance to a documentary. The same vulnerabilities may afflict more recent nuclear powers, not least Pakistan and North Korea. Meanwhile, nuclear proliferation and technological innovation are undermining much of the game theoretic logic of deterrence, which has long been central to nuclear strategy. In its most basic form, deterrence relies on the threat of retaliation to discourage adversaries from striking. The logic works best in a simple bilateral contest between rational, unitary actors. It begins to falter in a messier world of multiple countries, fragmented national authorities, and irrational leaders. Technological innovation also complicates nuclear deterrence. Cyberweapons, antisatellite weapons, hypersonic missiles, artificial intelligence, and other innovations are challenging longstanding assumptions, blurring distinctions between conventional and nuclear war, and **exacerbating** ambiguities in the international balance of power. Deterrence, in sum, is becoming a riskier bet.

Tactical nukes make miscalc uniquely likely – three internal links:

#### **First is crisis instability – erratic leaders are more likely to launch tactical nukes – they lower the threshold for conflict, break the nuclear taboo and cause retaliation with strategic nukes.**

Kaplan 2/18 [Fred Kaplan, (Fred Kaplan is the author of The Bomb: Presidents, Generals, and the Secret History of Nuclear War.) "The Senseless Danger of the Military’s New “Low-Yield” Nuclear Warhead" Slate Magazine, 2-18-2020, https://slate.com/news-and-politics/2020/02/low-yield-warhead-nuclear-weapons-navy-trident-submarines.html, DOA:2-22-2020 // WWBW]

For many years, arms control advocates have argued that low-yield nuclear weapons are destabilizing because they **lower** the threshold between **conventional and nuclear war.** They seem to be—they are designed to be—more usable as weapons of war, and therefore some president, in a crisis, might feel more tempted to use them. (The United States has always had an explicit policy of reserving the right to use nuclear weapons first in a conflict.) Those worries have intensified when we’ve had presidents who are viewed as erratic. In 2003, after the invasion of Iraq, some Air Force generals proposed building a new low-yield nuclear warhead that could burrow underground before exploding; they saw it as the ideal weapon for killing some future Saddam Hussein hiding in a bunker. But many members of the House and Senate Armed Services Committees did not trust President George W. Bush with such a weapon, so they tacked on an amendment to that year’s defense budget, prohibiting the “testing, acquisition, or deployment of a low-yield nuclear weapon”—and barring the Department of Energy from even researching such a weapon—without the advance approval of Congress. Many now have the same worry about Donald Trump. In 2018, when then–Secretary of Defense Jim Mattis lobbied for the W76-2 on Capitol Hill, at least one Republican senator told him, “I don’t have a problem with this weapon. I have a problem with the president who’s authorized to use this weapon.” But just months later, Trump’s viselike grip on the Republican Party had tightened. The Democrat-controlled House voted to cancel the program; the GOP-led Senate voted to approve it. In the conference committee, the House managers folded. Some reasoned that it was such an inexpensive program: Only 50 warheads would be modified to the low-yield version, at a cost of $65 million, less than 0.1 percent of the entire defense budget. No big deal. Another reason for the Democrats’ concession was that this low-yield program was presented as a response to a Russian threat. The argument was that the Russians had a new strategy called “escalate to de-escalate.” If war broke out in Europe, the Russians would launch a low-yield nuclear weapon at U.S. and NATO forces. If we didn’t have low-yield nuclear weapons to fire back, we would have to surrender. If we did have low-yield nukes, the rationale went, the Russians might not attack in the first place. It is true that the Russian military has outlined such a strategy in some manuals and rehearsed this scenario in some training exercises. But it’s slippery logic to conclude that we need a low-yield Trident warhead to meet the threat. First, the case for the new warhead hinges on the premise that, in order to deter the Russians, we need to match in kind every move they make: They build a low-yield missile; we have to do the same, or we wind up with a “gap in the escalation spectrum” (as some have labeled the threat). But there is nothing in history, strategy, or intelligence findings about Russian thinking on the subject to support this notion. Second, even if the notion could be supported, it would be irrelevant because—as Hans Kristensen of the Federation of American Scientists estimates—the U.S. already has about 1,000 low-yield nuclear bombs and cruise missiles, which could be dropped or fired from F-15, F-16, B-1, and B-2 aircraft. Advocates of the low-yield Trident argue that those planes might be shot down by Russian air defenses, whereas the Trident missiles—launched from undetectable submarines—would definitely get through Russian defenses. This imbalance is overstated. Many, probably most of the U.S. planes would get through to their targets. More to the point, even if only a few got through, that would mean that we are able to launch low-yield nuclear weapons in response to Russian low-yield weapons—which means the premise of advocates’ case for low-yield Tridents is false. Third, there is some dispute within intelligence agencies over why the Russians are deploying low-yield nuclear warheads in the first place. From the 1950s to the 1970s, the U.S. placed thousands of nuclear weapons in Western Europe to compensate for the superiority of Soviet tanks and troops in Eastern Europe. Now, many analysts believe, the Russians are putting more emphasis on nuclear weapons in order to counter U.S. and NATO superiority in conventional weapons. It’s two sides of the same coin. It doesn’t reflect a new kind of threat—or require a new kind of response. In my new book, The Bomb: Presidents, Generals, and the Secret History of Nuclear War, I recount a highly classified war game played by the National Security Council late in the Obama administration. Reports of Russia’s “escalate to de-escalate” strategy were emerging. The idea of the game was to test whether this strategy might indeed thwart America’s ability or will to project power in Europe. The scenario went like this: The Russians invade one of the Baltic states; NATO fights back effectively; to reverse the tide, Russia fires a low-yield nuclear weapon at the NATO troops or at a base in Germany where drones, combat planes, and smart bombs were deployed. The question: What do U.S. decision-makers do next? The game was first played in an NSC deputies’ meeting, consisting of second-tier officials from the various agencies and military branches. Initially, the generals steered the discussion toward operational details: How many nuclear weapons, and of what type, should the U.S. fire at what targets? Then, Colin Kahl, Vice President Joe Biden’s national security adviser, spoke up. The generals, he said, were missing the big picture. The minute the Russians drop a nuclear bomb, we would face a world-defining moment—the first time an atom bomb had been used in war since 1945. It would be an opportunity to rally the entire world against Russia. If we responded with diplomacy and economic pressure, and by pushing ahead with our conventional advantage, we would isolate and weaken Moscow’s leaders, policies, and military forces. However, if we responded by shooting off some nukes of our own, we would forfeit that advantage and, moreover, normalize the use of nuclear weapons. The generals were caught off guard. They knew of the long-standing debate over whether the U.S. should be the first to use nuclear weapons in response to a conventional attack, but it seemed perverse to consider using conventional weapons in response to a nuclear attack. A few hours of discussion ensued, examining Kahl’s political challenge, NATO’s conventional military strength, the puzzle of which targets to hit with nuclear weapons (none made much sense), and whether a nuclear response would end the war any sooner or more victoriously than a conventional response (which didn’t seem likely). In the end, a consensus formed that, at least as a first step, the U.S. should respond with continued conventional military operations. A month later, the NSC’s Principals Committee—the group of Cabinet secretaries and military chiefs—played the same game, but with very different results. Some of the same concerns were raised—the possibility of isolating the Russians by not taking the nuclear bait, the lack of any sensible targets, the uncertainty of whether nukes would dampen or further escalate the war. Still, the principals decided we had to respond with nuclear weapons, to maintain credibility among our allies and adversaries. They decided to fire a few nuclear weapons at the former Soviet republic of Belarus, even though, in the game, it had no involvement in the Russian attacks—and then they ended the game, without playing the next few steps. Regardless of who was right, the deputies or the principals, there is another good reason for opposing the idea of launching low-yield nuclear weapons from a Trident submarine. In the first months of Trump’s presidency, Mattis assembled a group of seven longtime defense experts—the “Graybeards,” he called them—to hash out various issues. In the third and last of their meetings, held on Nov. 1, 2017, they discussed the “escalate to de-escalate” scenario and whether to respond by building low-yield Trident warheads. Most of the seven opposed the idea. Kevin Chilton, a retired Air Force general, argued that if the Russians saw a missile hurtling their way after being fired upon by a Trident submarine, they wouldn’t know whether it was high-yield or low-yield—they would see it as a “strategic” weapon, perhaps the first volley of a much larger attack against Russia, and respond accordingly. Chilton’s opposition might have stemmed in part from the fact that the warhead was a Navy weapon. (He argued that, if we wanted to use nukes to send a signal to Moscow, a cruise missile fired from a bomber aircraft would be a better tool. Both the bomber and the cruise missile were Air Force weapons.) Still, he had a point. There’s nothing on the missile that flashes “Low Yield! Low Yield!” And when the warhead goes off, it would look and feel like the largest explosion witnessed since World War II. An 8-kiloton bomb may sound puny, but 8 kilotons means 8,000 tons, which means 16 million pounds—and that’s just the blast. There would also be fire, smoke, electromagnetic pulse, radiation, and radioactive fallout, spreading the toxicity far and wide. The bomb that leveled Hiroshima at the end of World War II exploded with the force of 12.5 kilotons—not that much larger than the W76-2. Where would this weapon be aimed? I’ve asked several officials who deal with these matters. They have different answers. Some say it would be aimed at a target inside Russia. Some say, no, that would escalate the conflict; it would be aimed at a target on the battlefield. Some say the president would make the decision. (That’s the scariest answer of all.) The point is, as the Obama NSC’s war game spelled out, nobody knows how it would, or should, be used—and certainly nobody knows what might happen next. That is the real danger of the low-yield weapon—not so much the weapon itself (especially compared with much higher-yield weapons) but the deception that the whole concept plants in a decision-maker’s mind: the idea that “**low-yield**” means tiny, harmless, controllable. In fact, the dynamic unleashed—the near-**certainty** of a retaliatory strike, followed by another round of strikes, steadily subsumed in the fog of war, as communications systems burn out, commanders wander in confusion about what’s going on, each side fears the worst from the other and seeks to preempt the next blow with a blow of his own—would mean that before too long, the conflict escalates to **catastrophe**. If war happens and if nuclear weapons come into the fray, clearly it’s sensible to try to keep the damage limited. But no one in officialdom has ever played a war game in which a “limited” attack believably stays limited. Things spiral out of control pretty quickly. Which is why it’s a good idea to keep the threshold between conventional and nuclear war **as high as possible**—and why the low-yield Trident warhead is a bad idea.

#### Second is arms races – tactical nukes are ripe for innovation – that causes geostrategic competition.

Thomas-Noone ’16 [Brendan Thomas-Noone, (Brendan Thomas-Noone is a Research Fellow at the United States Studies Centre at the University of Sydney. His interests include international security, nuclear deterrence in the Indo-Pacific and the politics of cyberspace. Brendan was formerly a Research Associate in the International Security Program at the Lowy Institute where he worked on nuclear deterrence and policy in Asia, maritime security affairs and Australian defence policy. He was also an editor and contributing writer for The Interpreter. He holds a Bachelor of Arts with Honours and a Master of International Relations from the University of Melbourne where he focused on US foreign policy and modern history. Brendan has also received a Master of Science in Global Politics from the London School of Economic and Political Science where his dissertation explored the theoretical interactions between the internet and state sovereignty in China. Brendan has also interned with the Atlantic Council in Washington DC and with the International Campaign to Abolish Nuclear Weapons.) "Tactical Nuclear Weapons: A New Arms Race?" RealClearDefense, 10-4-2016, https://www.realcleardefense.com/articles/2016/10/05/tactical\_nuclear\_weapons\_a\_new\_arms\_race\_110167.html, DOA:2-22-2020 // WWBW]

Tactical nuclear weapons are those intended for battlefield purposes and they generally possess low-yield nuclear warheads. More precise and capable versions of these weapons can strengthen deterrence. Theoretically they make nuclear arsenals more robust and dynamic, lending credibility to deterrence and help prevent conflict. But they also make nuclear weapons more **'useable'** against a greater variety of targets and in a wider range of scenarios. This could **harm** **strategic** **stability** and eventually **encourage** arms races. Two technological trends are influencing the way tactical nuclear weapons could impact strategic stability: the proliferation of precision strike weapons and the emergence of advance area-denial capabilities and credible ballistic missile defence. In terms of precision strike weapons, the US demonstrated the effectiveness of the 'reconnaissance-strike complex' during the first Gulf War. Post-war assessments noted that there was a 'qualitative' shift in the effectiveness of precision-guided weapons during the conflict. This is largely due to the integration of sensors, receivers and satellite positioning and tracking systems, like GPS, into air-dropped munitions and cruise missiles. The demonstration of Washington's 'reconnaissance-strike complex' was a shock in Moscow and Beijing, and both countries have invested deeply over the years in similar capabilities. Over the last several years, it has become increasingly clear they have made significant progress. The result of Russia's military modernisation was fully demonstrated in Syria in late 2015. The Russian Navy's cruise missile strikes from surface vessels and submarines in the Caspian and Mediterranean Seas showed **significant** improvement in Russia's ability to conduct long-range precision strikes. This was likely enabled largely due to the revitalisation of Russia's indigenous GPS equivalent, GLONASS. Importantly, these strikes were carried out with the new nuclear-capable Kalibr cruise missile. China has been making similar advances. Beijing has been building an increasingly capable regional intelligence, surveillance and reconnaissance infrastructure, including over the horizon radars and passive electronic surveillance systems. This is paired with China's own GPS-type system, the BeiDou satellite constellation, which received its 23rd satellite in June. When combined, these capabilities will allow the PLA the ability to conduct coordinated and precise strikes from a multitude of ballistic and cruise missiles within the region. While there is scant evidence that China has invested in tactical nuclear warheads or plans to, its ability to use nuclear weapons within the region in a limited fashion if it chose to has improved. The proliferation of these systems and their potential impact on strategic stability has not been fully considered. One way these capabilities could **upset** **stability** is by blurring the distinction between conventional and nuclear use. Another is the prospect that 'decapitation strikes', a source of Soviet anxiety during the Cold War, could become more feasible. Indeed, there are some indications that nuclear-capable, submarine-borne cruise missiles are playing a role in nuclear dynamics between Russia and the US in a similar way. Other technology that may be under-appreciated in terms of their effect on the modernisation of tactical nuclear arsenals is the development of anti-access/area-denial (A2/AD) capabilities and credible ballistic missile defences. As the US debates the future of its nuclear modernisation efforts, the Pentagon has used the A2/AD 'challenge' as a reason for the necessary modernisation of US nuclear-capable cruise missiles. Indeed, the Pentagon sees A2/AD systems as a threat to its ability to control and maintain escalation superiority if deterrence fails. Likewise, US investment in credible ballistic missile defences is playing a role in an evolving action-reaction dynamic concerning Russia and China's modernising nuclear arsenals. The biggest risk going forward is that the nuclear modernisation programs of the major nuclear powers, particularly in regards to precise tactical nuclear weapons, become 'interactive'. As was the case during the Cold War, a cycle of improvement and investment in nuclear arsenals could develop, where countries can fear 'being placed at a disadvantage in **crises or a breakdown of deterrence**.' As Michael Krepon and Julia Thompson have written, this can lead to nuclear arsenals more 'suited for war-fighting than deterrence' and can result in fostering arms race dynamics. Nuclear use among the major nuclear powers remains highly unlikely. But technology can shift the way states consider tactical nuclear weapons in the future. The international community has a role in calling for greater transparency around these types of weapons.

#### That increases the risk of miscalculation and nuclear war.

Scoblic ‘19 [J. Peter Scoblic, (J. Peter Scoblic, a fellow in the international security program at New America, is the author of “U.S. vs. Them: Conservatism in the Age of Nuclear Terror.”) "How The U.S.-China Trade War Makes Clear The Folly Of Arms Races" Washington Post, 9-6-2019, https://www.washingtonpost.com/outlook/how-the-us-china-trade-war-makes-clear-the-folly-of-arms-races/2019/09/06/60e5f29c-cffb-11e9-8c1c-7c8ee785b855\_story.html, DOA:2-22-2020 // WWBW]

The greatest problem with nuclear war, some strategists noted during the Cold War, was that we had never fought one. As problems go, this was a good one to have. But it meant that our understanding of how an arms race might precipitate nuclear conflict was entirely theoretical. By now, the lessons of the superpower arms race are clear. As of the late 1970s, the United States and the Soviet Union had each deployed some 25,000 nuclear warheads that could be delivered by air, land or sea, with a variety of yields, ranges and trajectories. Despite having arsenals so large and diverse that neither country would survive a war, each still felt itself uniquely vulnerable. Because of that perceived vulnerability, the United States embarked on a **massive** “rearmament.” And as a result, Moscow believed that Washington was planning a first strike — a fear that peaked in November 1983, when it nearly mistook a NATO war game as the prelude to an actual attack. It is hard to imagine wanting to reprise this dangerous period, and yet the United States and Russia seem to be doing just that, embarking on a new arms race complete with (among other things) intermediate-range nuclear weapons of the kind that Ronald Reagan and Mikhail Gorbachev banned because they found them so dangerous. Moves like these **increase** the risk of confrontation, yet as former energy secretary Ernest Moniz and former senator Sam Nunn recently wrote, “Both sides seem willfully blind to the peril.” Which is why it is serendipitous that President Trump has given us a concise refresher on the folly of tit-for-tat conflicts — by waging a trade war with China. Although trade wars may seem very different from arms races, both are lose-lose situations in which each escalatory step hurts you as much (or more) than your opponent. Because trade wars play out faster, and because their consequences are more immediate and transparent, they make the destructiveness of such spiraling fights obvious. In other words, if the Cold War wasn’t enough to convince you that arms races aren’t winnable, the U.S.-China trade spat should. Trade wars and arms races both depend on interdependence to do their damage.Tariffs, for example, can wound only to the extent that your adversary relies on your country as a market for its products. Theoretically,interdependence should reduce the propensity for conflict, because one nation’s exports are another’s imports. But states that hold central positions in the global economic network can also leverage their power to coerce others. The dependence in an arms race is a little different, but many actions that one country takes to strengthen its security decrease the security of the other. That is not to say every weapon Russia deploys makes us less safe, but some could. And, from both a political and a psychological standpoint, arms buildups by one side seem to demand a response by the other. The same dynamic has propelled the trade war with China. For example, on April 3, 2018, Trump imposed a 25 percent tariff on $50 billion of Chinese goods, and just hours later, Beijing retaliated by placing tariffs on $50 billion of U.S. goods. The fight has escalated since. In just the first week of August, Trump announced that he would impose 10 percent tariffs on $300 billion of Chinese imports; to which China responded by stopping purchases of U.S. agricultural products; to which the United States responded by labeling China a currency manipulator. Although Trump claimed in 2018 that the trade war would be “easy to win,” the conflict has dragged on at great cost, with American farmers and retailers declaring bankruptcy, the export market for U.S. goods shrinking by tens of billions of dollars, and the chances of a recession shooting up. Despite Trump’s claims, imposing tariffs has not improved the U.S. position at China’s expense. Rather, it has wounded Americans by passing costs to consumers, robbing producers of suppliers and markets, and introducing unpredictability, which stymies economic activity (a business strategy that is smart today could be dumb tomorrow). Similarly, in an arms race, one country’s deployment of more or better nuclear weapons may, ironically, **reduce** its security by **threatening** its adversary’s perceived ability to retaliate, and therefore **undermining** the stability of mutual assured destruction. In a crisis, an insecure adversary is **more likely** to lash out, lest its arsenal be destroyed on the ground.

#### Third is deployment – battlefield deployment of tactical nukes makes them uniquely vulnerable to theft and miscalculation.

Schlosser ’18 [Eric Schlosser, (Eric Schlosser is the author of “Command and Control: Nuclear Weapons, the Damascus Accident, and the Illusion of Safety,” from 2013, and a producer of the documentary “Command and Control,” from 2016.) "The Growing Dangers of the New Nuclear-Arms Race" New Yorker, 5-24-2018, https://www.newyorker.com/news/news-desk/the-growing-dangers-of-the-new-nuclear-arms-race, DOA:2-22-2020 // WWBW]

To be effective on the battlefield, tactical weapons need to be **widely dispersed and available** for immediate use, making them **more vulnerable** to theft, sabotage, and unauthorized use. They may also make nuclear war more likely. Because the destructive effects of tactical weapons are smaller, the temptation to use them may be greater. Once the “nuclear taboo” has been broken, **nobody** can be certain what will happen next. At Hiroshima and Nagasaki, nuclear weapons were used against a nation that didn’t have them. Russia and the United States possess about ninety per cent of the world’s approximately fifteen thousand nuclear weapons, maintaining arsenals large and diverse enough to hit a variety of targets. The most recent Nuclear Employment Strategy of the United States, issued by the Obama Administration, in 2016, is a veritable jobs program for weapons of mass destruction. It emphasizes the importance of destroying counterforce (military) targets rather than countervalue (civilian) targets, and it vows to “minimize collateral damage to civilian populations,” in keeping with international law. The Trump Administration’s Nuclear Posture Review advocates a strategy that sounds oddly elegant: “tailored deterrence.” Its objectives include preventing a nuclear attack on the United States, protecting American allies from attack, and, if deterrence fails, ending “any conflict at the lowest level of damage possible and on the best achievable terms.” Russia has also changed its nuclear strategy. During the Cold War, the Soviet Union claimed that it would never be the first to use nuclear weapons. But Russia is no longer confident that its conventional forces are superior to those of nato, and so it has embraced an “escalate to de-escalate” strategy, raising the possibility of the use of tactical weapons against nato troops. The strategy is based on a faith that low-yield nuclear blasts will impose “tailored” damage on nato, de-escalate the conflict, and force a ceasefire. The strategy presumes that nato won’t retaliate by using nuclear weapons, too. The change in Russian doctrine has prompted the Trump Administration to seek **new** low-yield, tactical weapons. The Administration believes that its new tactical weapons will deter the Russians from ever using their own—reversing a bipartisan consensus that for the past quarter century has regarded these weapons as gravely and needlessly dangerous. At the height of the Cold War, the United States kept about seven thousand tactical nuclear weapons in Europe. The utility of those weapons was always in doubt. During Carte Blanche, a war game conducted in 1955, three hundred and thirty-five nato tactical weapons were used against invading Soviet tanks and troops, for the most part on battlefields in Germany. Robert McNamara later outlined the results: “It was estimated that between 1.5 and 1.7 million people would die and another 3.5 million would be wounded—more than five times the German civilian casualties in World War II—in the first two days.” Those estimates did not include deaths from illness, radiation poisoning, or Soviet nuclear weapons. Subsequent war games confirmed the findings of Carte Blanche: if nato ever used tactical weapons to defend Germany, it would destroy Germany. The mere existence of tactical weapons could **destabilize** a crisis and make it end badly. During the Cuban Missile Crisis, President John F. Kennedy and his advisers didn’t know that the Soviet forces on the island and in the sea surrounding it not only had tactical weapons but also had the ability to use them without consulting Moscow. An American attack—contemplated for days at the White House and nearly set in motion—would have unwittingly led to a nuclear war. After the collapse of the Soviet Union, in 1991, the United States unilaterally removed all of its tactical weapons from South Korea and almost all of them from Europe. The Chairman of the Joint Chiefs of Staff at the time, General Colin Powell, had trained in the employment of tactical nuclear weapons as a young officer and thought that they “had no place on a battlefield.” With the support of every member of the Joint Chiefs of Staff, Powell persuaded Secretary of Defense Dick Cheney and President George H. W. Bush to get rid of them, and over the years the size of nato’s tactical nuclear stockpile fell by ninety-seven per cent. Today, the United States keeps about two hundred tactical weapons at six nato bases in Germany, Belgium, Turkey, Italy, and the Netherlands. The weapons are B-61 bombs designed to be carried by fighter planes. They have no assigned role in nato’s war plans, and their military usefulness is “**practically nil,”** according to General James Cartwright, a former commander of the United States Strategic Command. The B-61 bombs have been retained as symbols of America’s commitment to the defense of nato, despite concern that the weapons are **vulnerable** to theft by **terrorists**, **sabotage**, and **attack**, especially in Turkey. A few B-61s could fit in the bed of a pickup truck.

#### **Nuclear war causes extinction – ozone losses, firestorms, and agricultural disruption.**

Starr ’17 (Steven; Steven Starr is the director of the University of Missouri’s Clinical Laboratory Science Program, as well as a senior scientist at the Physicians for Social Responsibility. He has been published in the Bulletin of the Atomic Scientists and the Strategic Arms Reduction (STAR) website of the Moscow Institute of Physics and Technology; Jan 09, 2017; “Turning a Blind Eye Towards Armageddon — U.S. Leaders Reject Nuclear Winter Studies”; Federation of American Scientists; https://fas.org/2017/01/turning-a-blind-eye-towards-armageddon-u-s-leaders-reject-nuclear-winter-studies/; DOA December 8, 2019; JPark)

The detonation of an atomic bomb with this explosive power will instantly ignite fires over a surface area of three to five square miles. In the recent studies, the scientists calculated that the blast, fire, and radiation from a war fought with 100 atomic bombs could produce direct fatalities comparable to all of those worldwide in World War II, or to those once estimated for a “counterforce” nuclear war between the superpowers. However, the long-term environmental effects of the war could significantly disrupt the global weather for at least a decade, which would likely result in a vast global famine. The scientists predicted that nuclear firestorms in the burning cities would cause at least five million tons of black carbon smoke to quickly rise above cloud level into the stratosphere, where it could not be rained out. The smoke would circle the Earth in less than two weeks and would form a global stratospheric smoke layer that would remain for more than a decade. The smoke would absorb warming sunlight, which would heat the smoke to temperatures near the boiling point of water, producing ozone losses of 20 to 50 percent over populated areas. This would almost double the amount of UV-B reaching the most populated regions of the mid-latitudes, and it would create UV-B indices unprecedented in human history. In North America and Central Europe, the time required to get a painful sunburn at mid-day in June could decrease to as little as six minutes for fair-skinned individuals. As the smoke layer blocked warming sunlight from reaching the Earth’s surface, it would produce the coldest average surface temperatures in the last 1,000 years. The scientists calculated that global food production would decrease by 20 to 40 percent during a five-year period following such a war. Medical experts have predicted that the shortening of growing seasons and corresponding decreases in agricultural production could cause up to two billion people to perish from famine. The climatologists also investigated the effects of a nuclear war fought with the vastly more powerful modern thermonuclear weapons possessed by the United States, Russia, China, France, and England. Some of the thermonuclear weapons constructed during the 1950s and 1960s were 1,000 times more powerful than an atomic bomb. During the last 30 years, the average size of thermonuclear or “strategic” nuclear weapons has decreased. Yet today, each of the approximately 3,540 strategic weapons deployed by the United States and Russia is seven to 80 times more powerful than the atomic bombs modeled in the India-Pakistan study. The smallest strategic nuclear weapon has an explosive power of 100,000 tons of TNT, compared to an atomic bomb with an average explosive power of 15,000 tons of TNT. Strategic nuclear weapons produce much larger nuclear firestorms than do atomic bombs. For example, a standard Russian 800-kiloton warhead, on an average day, will ignite fires covering a surface area of 90 to 152 square miles. A war fought with hundreds or thousands of U.S. and Russian strategic nuclear weapons would ignite immense nuclear firestorms covering land surface areas of many thousands or tens of thousands of square miles. The scientists calculated that these fires would produce up to 180 million tons of black carbon soot and smoke, which would form a dense, global stratospheric smoke layer. The smoke would remain in the stratosphere for 10 to 20 years, and it would block as much as 70 percent of sunlight from reaching the surface of the Northern Hemisphere and 35 percent from the Southern Hemisphere. So much sunlight would be blocked by the smoke that the noonday sun would resemble a full moon at midnight. Under such conditions, it would only require a matter of days or weeks for daily minimum temperatures to fall below freezing in the largest agricultural areas of the Northern Hemisphere, where freezing temperatures would occur every day for a period of between one to more than two years. Average surface temperatures would become colder than those experienced 18,000 years ago at the height of the last Ice Age, and the prolonged cold would cause average rainfall to decrease by up to 90%. Growing seasons would be completely eliminated for more than a decade; it would be too cold and dark to grow food crops, which would doom the majority of the human population.

### Plan

#### Resolved: States ought to eliminate their tactical nuclear arsenals. Further specification is in the doc.

#### Eliminate means permanent – no rearm or circumvention.

Blonna ’10 -- ED.D [Richard, Stress Less Live More, google books, accessed 12-21-19]

Most people fail in their attempts at stress management because they confuse managing stress with eliminating or controlling it. By definition, “eliminate” means to cause something to disappear or to permanently get rid of something. There are many things in your life you can eliminate. If you don’t like your job, you can quit and find a new one. If you don’t like the color of your house, you can paint it a new color. If you don’t like your car, you can get rid of it and buy a new one. But stress doesn’t work quite like that.

#### No deterrence specifically for tactical nukes – it’s empirically denied and conventional weapons solve.

Krepon ‘17 [Michael Krepon, (Michael Krepon is writing a book on the Rise and Demise of Nuclear Arms Control. He is the co-founder of the Stimson Center.) "The Folly of Tactical Nuclear Weapons" Defense One, 10-2-2017, https://www.defenseone.com/technology/2017/10/folly-tactical-nuclear-weapons/141440/, DOA:2-22-2020 // WWBW]

Tactical nuclear weapons haven’t gone away. They remain crutches for weak states against stronger ones. The United States, which enjoys conventional military superiority, powerful allies, and possesses a few thousand operational nuclear weapons with widely varying yields, doesn’t need to fight tactical nuclear weapons with tactical nuclear weapons. Instead of fighting fire with fire, the Pentagon can fight fire with very high-pressure water hoses. The way to beat tactical nuclear weapons is with **overwhelming** conventional firepower. There are no targets for small mushroom clouds that conventional capabilities can’t handle. And if conventional firepower isn’t effective enough, then small mushroom clouds won’t help, either. Nuclear soothsayers tell us that tactical nuclear weapons aren’t about battlefield use; they are about deterrence. But the point of deterrence is to have no mushroom clouds, not new, tailor-made mushroom clouds for escalation control and battle management. Even with expensive bells and whistles, **deterrence has already failed twice** between nuclear-armed states. Disagreements over borders led to **limited** wars between China and the Soviet Union in 1969 and India and Pakistan in 1999. These wars ended in draws, as did the first Korean War. A second war on the peninsula would result in a punishing U.S. victory. The introduction of tactical nuclear weapons won’t change this bottom line. When it comes to capabilities for nuclear warfare, better is the enemy of good enough. Bells and whistles for warheads are expensive. They might also require the resumption of nuclear testing – not just by the United States, but also by Russia, China, India and Pakistan. The pursuit of a new warhead design isn’t worth these costs.

#### No prolif or rearm – empirically causes backlash.

Mueller '18 (John Mueller; John Mueller is Adjunct Professor of Political Science and Woody Hayes Senior Research Scientist at Ohio State University and a Senior Fellow at the Cato Institute. He is the author of Atomic Obsession: Nuclear Alarmism From Hiroshima to Al Qaeda; 10-15-2018; "Nuclear Weapons Don’t Matter"; https://www.cato.org/publications/commentary/nuclear-weapons-dont-matter, Cato Institute, accessed 12-3-2019; JPark)

Great powers are one thing, some might say, but rogue states or terrorist groups are another. If they go nuclear, it's game over — which is why any further proliferation must be prevented by all possible measures, up to and including war. That logic might seem plausible at first, but it breaks down on close examination. Not only has the world already survived the acquisition of nuclear weapons by some of the craziest mass murderers in history (Stalin and Mao), but proliferation has slowed down rather than sped up over time. Dozens of technologically sophisticated countries have considered obtaining nuclear arsenals, but very few have done so. This is because nuclear weapons turn out to be difficult and expensive to acquire and strategically provocative to possess. They have not even proved to enhance status much, as many expected they would. Pakistan and Russia may garner more attention today than they would without nukes, but would Japan's prestige be increased if it became nuclear? Did China's status improve when it went nuclear — or when its economy grew? And would anybody really care (or even notice) if the current British or French nuclear arsenal was doubled or halved? Alarmists have misjudged not only the pace of proliferationbut also its effects. Proliferation is incredibly dangerous and necessary to prevent, we are told, because going nuclear would supposedly empower rogue states and lead them to dominate their region. The details of how this domination would happen are rarely discussed, but the general idea seems to be that once a country has nuclear weapons, it can use them to threaten others and get its way, with nonnuclear countries deferring or paying ransom to the local bully out of fear. Except, of course, that in three-quarters of a century, the United States has never been able to get anything close to that obedience from anybody, even when it had a nuclear monopoly. So why should it be true for, say, Iran or North Korea? It is far more likely that a nuclear rogue's threats would cause its rivals to join together against the provocateur — just as countries around the Persian Gulf responded to Saddam's invasion of Kuwait by closing ranks to oppose, rather than acquiescing in, his effort at domination. If the consequences of proliferation have so far proved largely benign, however, the same cannot be said for efforts to control it. During the 2008 U.S. presidential campaign, Senator Barack Obama of Illinois repeatedly proclaimed his commitment to "do everything in [his] power to prevent Iran from obtaining a nuclear weapon — everything," and his opponent, the Republican senator from Arizona John McCain, insisted that Iran must be kept from obtaining a nuclear weapon "at all costs." Neither bothered to tally up what "everything" entailed or what the eventual price tag of "all costs" would be.

Definition of tactical nuclear weapon:

Kristensen & Korda ‘19 [Hans M. Kristensen and Matt Korda, (Hans M. Kristensen is the director of the Nuclear Information Project with the Federation of American Scientists in Washington, DC. His work focuses on researching and writing about the status of nuclear weapons and the policies that direct them. Kristensen is a coauthor of the world nuclear forces overview in the SIPRI Yearbook (Oxford University Press) and a frequent adviser to the news media on nuclear weapons policy and operations. He has coauthored Nuclear Notebook since 2001. Matt Korda is a research associate for the Nuclear Information Project at the Federation of American Scientists, where he coauthors the Nuclear Notebook with Hans Kristensen. Previously, he worked for the Arms Control, Disarmament, and WMD Non-Proliferation Center at NATO headquarters in Brussels. He received his MA in International Peace and Security from the Department of War Studies at King’s College London, where he subsequently worked as a Research Assistant on nuclear deterrence and strategic stability. Matt’s research interests and recent publications focus on nuclear deterrence, missile proliferation, gender mainstreaming, and alliance management, with regional concentrations on Russia and the Korean Peninsula. He is a 2018 alumnus of IGCC’s Public Policy and Nuclear Threats Boot Camp, a 2019 alumnus of the Wilson Center’s Nuclear History Boot Camp, and a 2019 CSIS Nuclear Scholar.) "Tactical nuclear weapons, 2019" Bulletin Of The Atomic Scientists Volume 75, 2019 - Issue 5, 8-30-2019, https://www.tandfonline.com/doi/full/10.1080/00963402.2019.1654273, DOA:2-22-2020 // WWBW]

Before we describe the tactical nuclear arsenals, it is important to review what a tactical nuclear weapon actually is. Unlike other types of nuclear weapons and associated delivery systems, there is no universally accepted definition for a “tactical,” “nonstrategic,” or “theater” nuclear weapon. During the Cold War, such weapons were also referred to as “battlefield” nuclear weapons. According to the US Defense Department’s publication Nuclear Matters Handbook, “Non-strategic or tactical nuclear weapons refer to nuclear weapons designed to be used on a battlefield in military situations. This is opposed to strategic nuclear weapons, which are designed to be used against enemy cities, factories, and other larger-area targets to damage the enemy’s ability to wage war” (Department of Defense 2016, 17). The Joint Chiefs of Staff’s dictionary of military terms from 2010 defined nonstrategic nuclear forces: “Those nuclear-capable forces located in an operational area with a capability to employ nuclear weapons by land, sea, or air forces against opposing forces, supporting installations, or facilities. Such forces may be employed, when authorized by competent authority, to support operations that contribute to the accomplishment of the commander’s mission within the theater of operations” (Joint Chiefs of Staff 2010, 331). The updated version from 2019, however, does not mention nonstrategic nuclear weapons at all (Joint Chiefs of Staff 2019a). A frequent and widespread mistake in the public debate is to equate nonstrategic with low yield. If a weapon has a low-yield option, so the thinking goes, then it’s a nonstrategic weapon; conversely, if it has a high yield, then it must be a strategic weapon. The reality is much more blurred and complex; some nonstrategic nuclear weapons have high-yield options, some strategic weapons have low-yield options; some have both. A more official distinction is the arms control definition, according to which everything not formally designated as a “strategic nuclear weapon” by strategic arms limitation treaties is de facto a “nonstrategic” nuclear weapon. Key to this definition is range: strategic weapons have intercontinental range, nonstrategic weapons do not. This is of course a very superpower-dominated definition that ignores the characteristics and histories of other countries’ nuclear arsenals, some of which don’t even include intercontinental-range weapons. Yet the arms treaty definition does capture the relation to the military mission and the very different consequences of strategic versus nonstrategic use. Strategic missions are immensely more destructive because of their scope and intensity, while tactical missions are nominally intended for limited regional scenarios. The Congressional Research Service has stated that the true marker of a tactical nuclear weapon could be “the nature of the target or implications for the conflict, not the yield or delivery vehicle of the attacking warhead” (Congressional Research Service 2019, 10)

Definition of a state:

Duhaime “State.” Duhaime's Law Dictionary, http://www.duhaime.org/LegalDictionary/S/State.aspx. [Premier]

The 1933 Convention on the Rights and Duties of States (aka Montevideo Convention) specifically defines statehood, at ¶1 as: "The state as a person of international law should possess the following qualifications: a permanent population; a defined territory; government; and capacity to enter into relations with the other states." In Estates of Ungar v. Palestinian Authority, Justice Lagueux of the United States District Court (Rhode Island) wrote: "Only States enjoy sovereign immunity.... International law determines statehood. The 1933 Montevideo Convention on the Rights and Duties of States sets forth the legal standard for evaluating an entity's claim to statehood. Convention on the Rights and Duties of States (entered into force Dec. 26, 1934, hereinafter "Montevideo Convention"). Under the Montevideo Convention, an entity is a State when it possesses: (1) a permanent population; (2 )a defined territory; (3 )a government and (4) the capacity to enter into relations with other states. The United States adopted these criteria ... Federal courts consistently apply the four criteria to determine whether or not an entity is a State and thus qualifies for the protections of sovereign immunity."

Definition of an arsenal:

LANI ‘8 (Los Alamos National Laboratory, https://web.archive.org/web/20111001211340/http://www.lanl.gov/natlsecurity/nuclear/stockpile/)

As the nature of threats to the United States and the world has evolved, our defense policy has changed from one based on specific threats to one that can respond quickly to many kinds of potential threats, including asymmetric threats. One part of our nation's capabilities-based defense is our enduring nuclear stockpile—the country's supply of readily available nuclear weapons.

The stockpile, also called the nuclear arsenal, refers to a country's supply of readily available nuclear weapons. The term nuclear weapons refers to the explosive warheads and the bombs and missiles that can deliver them to enemy targets.

* States
	+ We’ll defend action by the legislative branch wherever applicable
	+ Non-armed states and all future states will also disavow the pursuit of nuclear tactical weapons
* Nuclear arsenals
	+ Deployed weapons, disassembled weapons, delivery systems
	+ Peaceful uses of nuclear materials will be delineated and monitored closely
* Mechanism
	+ States will immediately deactivate nuclear weapons
	+ States will gradually deconstruct weapons, store nuclear materials in canisters and keep them in safe facilities
* Enforcement
	+ UN review board that monitors the nuclear energy programs of all states
	+ The UN will institute a system of sanctions for any state found to be in violation

## Framing

### FW

omitted

## Method

### Nuclear Education

omitted

### Extinction First

omitted

### Institutions Good

omitted

### Extinction Reps Good

omitted

## Underview

### U/V – Theory

omitted

# ----

# F/L – Case

## XT – Advantage

### 1AR---Miscalc

#### 1] Tactical nukes are misleading – they sound small and irrelevant which epistemically biases leaders towards using them in a crisis – empirically proven by war games – that escalates to full-blown war.

#### 2] Tactical nukes spur technological competition and arms races – that increases the likelihood of war by incentivizing counterforce and retaliation.

#### 3] Tactical nukes have short ranges, which necessitates they be deployed on the battlefield – that makes them more vulnerable to theft and unauthorized launch – causes nuclear escalation.

### 1AR---!

#### Nuclear war causes extinction---that’s 1AC Starr---initial blast, tons of carbon smoke, ozone losses and nuclear winter causes disease and famine.

#### Extinction first –

### 2AR---!

#### Nuclear war outweighs

#### First is reversibility---nuclear winter makes the earth uninhabitable and even limited war causes firestorms that decimate the ecosystem.

#### Second is scope---[DA impact] is regionally contained but nuclear winter affects Earth’s climate and kill people via famine, radiation, and the blast itself – that affects everyone

Prioritize impacts that are existential from which we cannot recover – not voting affirmative means every other impact is inevitable and future action is impossible.

## F/L – Advantage

### AT Circumvention

#### 1] durable fiat solves – 1AC Blonna says elimination is permanent. Prefer – otherwise the neg would win every debate on presumption which kills aff strat since every advantage would be reversed.

#### 2] even if some nukes still exist, fewer is better – more nukes increase the chance of accidental war

### AT Dumping

omitted

### AT Deterrence

#### 1] their ev presumes Russia launches a TNW, which the aff solves – takes out the internal link to escalation since everyone loses their nukes

#### 2] conventional superiority solves – US and NATO can respond absent nukes – that’s 1AC Krepon

#### 3] turn – Russia and China know NATO will only have strategic nukes to retaliate with which is exactly which they won’t first strike

### AT Rearm/Prolif

#### 1] XT 1AC Mueller – no prolif – great powers like the US retaliate against prolif which deters it – proven by the Iraq war and sanctions against Iran

#### 2] the aff keeps strategic weapons which means it doesn’t cause a new unique incentive to proliferate – even if states prolif, they won’t have a nuclear monopoly which decks incentive to proliferate

## F/L – Impact

### AT Spark

#### 1] no warrant why war solves their scenarios – it doesn’t – either nuke war destroys infrastructure and it causes extinction from starvation or tech infrastructure remains intact and it doesn’t solve their offense

#### 2] case outweighs on probability – they have to win extinction inevitable now and nuke war solves but if either of those are false voting neg resigns millions of people to painful death by starvation

#### 3] yes extinction – a] Nuclear winter and ozone loss – our studies are best and answer earlier indicts

Mills 14 {Michael J., Ph.D. and M.S., Atmospheric Science (University of Colorado) and B.S. Earth, Atmospheric, and Planetary Sciences (MIT), Professor in Climate and Planetary Sciences (Colorado), Research Scientist at LASP, Project Scientist at the National Center for Atmospheric Research (WACCM Liaison), “Multidecadal Global Cooling and Unprecedented Ozone Loss Following a Regional Nuclear Conflict,” 4/1, Earth’s Future, 2, 161–176, http://onlinelibrary.wiley.com/store/10.1002/2013EF000205/asset/eft224.pdf?v=1&t=hz8i34ib&s=7348b4a9675101ebebfe733b39fdc5661eec4075}

In the 1980s, studies of the aftermath of a global nuclear conflict between the United States and the Soviet Union predicted that airborne particles, such as fine soil and smoke resulting from explosions and fires, could circle the globe, producing “twilight at noon,” and cooling the surface for years, in what became known as “nuclear winter” [Crutzen and Birks, 1982; Turco et al., 1983; Pittock et al., 1985]. Further studies looked at perturbations to atmospheric chemistry, predicting that odd nitrogen produced by the largest nuclear weapons could loft to the stratosphere, resulting in significant ozone loss, and an “ultraviolet spring” to follow [National Research Council, 1985; Stephens and Birks, 1985]. Leaders in the United States and the Soviet Union became aware of the global environmental damage of nuclear war and subsequently negotiated treaties that have significantly reduced their nuclear stockpiles from their peak near 65,000 in 1986 to less than 20,000, a decline that continues with further negotiations in recent years [Robock et al., 2007a; Toon et al., 2007, 2008]. Nevertheless, significant numbers of weapons remain, and the number of nuclear-armed states continues to increase.¶ Since 2007, studies have revisited the issue of global nuclear conflicts with modern global climate models, confirming the severity of the climatic impacts that had been predicted with simple climate models or with short simulations of low-resolution atmospheric general circulation models in the 1980s [Robock et al., 2007a], and raising new concerns about severe global climatic impacts of regional nuclear conflicts [Robock et al., 2007b; Toon et al., 2007; Mills et al., 2008; Stenke et al., 2013]. Even the smallest of nuclear weapons, such as the ∼15 kt weapon used on Hiroshima, exploding in modern megacities would produce firestorms that would build for hours, consuming buildings, vegetation, roads, fuel depots, and other infrastructure, releasing energy many times that of the weapon's yield [Toon et al., 2007]. Toon et al. [2007] estimated the potential damage and smoke production from a variety of nuclear exchange scenarios, and found that smoke would initially rise to the upper troposphere due to pyroconvection. Robock et al. [2007b] examined the climatic impact of the smoke produced by a regional conflict in the subtropics in which two countries each used 50 Hiroshima-size (15 kt) nuclear weapons, creating such urban firestorms. Using the global climate model GISS ModelE (Goddard Institute for Space Studies, New York), they calculated that nearly all the 5 Tg of smoke produced would rise to the stratosphere, where it would spread globally, reducing the global average temperature by 1.25°C for 3–4 years and by more than 0.5°C for a decade. This effect was longer lasting than that found in previous “nuclear winter” studies, because older models could not represent the rise of smoke into the stratosphere. Mills et al. [2008] then used a chemistry-climate model to calculate that the concurrent heating of the stratosphere by up to 100°C would produce global ozone loss on a scale unprecedented in human history, lasting for up to a decade.¶ Recently, Stenke et al. [2013] used a third independent model to confirm the major findings of these two previous studies. That study used the chemistry-climate model SOCOL3 to assess impacts on climate and stratospheric ozone for a range of inputs and particle sizes. The study coupled a mixed-layer ocean with a depth of 50 m and a thermodynamic sea ice module to a high-top atmospheric model, which calculated chemistry effects in agreement with Mills et al. [2008]. Unlike Robock et al. [2007b], the study did not consider active ocean dynamics, and hence could not incorporate the climate effects of changing ocean circulation. The inclusion of only the top 50 m of ocean limits the thermal inertia effects that occur in the presence of a deep ocean, making surface temperature responses too rapid, as the heat content of the deeper ocean is not considered.¶ Here we present the first study of this scenario with an Earth system model, coupling a chemistry-climate model to interactive ocean, sea ice, and land components.

#### b] fusion reactions

Wellerstein ‘18 [Alex Historian of science and nuclear weapons and a professor at the Stevens Institute of Technology, creator of the NUKEMAP. 6-29-2018. "Restricted Data: The Nuclear Secrecy Blog." Restricted Data: The Nuclear Secrecy Blog. http://blog.nuclearsecrecy.com/]

What would it take to turn the world into one big fusion reaction, wiping it clean of life and turning it into a barren rock? Asking for a friend. Graphic from the 1946 film, “One World Or None,” created by the National Committee on Atomic Information, advocating for the importance of the international control of atomic energy. One might wonder whether that kind of question presented itself while I was reading the news these days, and one would be entirely correct. But the reason people typically ask this question is in reference to the story that scientists at Los Alamos thought there was a non-zero chance that the Trinity test might ignite the atmosphere during the first wartime test. The basic idea is a simple one: if you heat up very light atoms (like hydrogen) to very high temperatures, they’ll race around like mad, and the chances that they’ll collide into each other and undergo nuclear fusion become much greater. If that happens, they’ll release more energy. What if the first burst of an atomic bomb started fusion reactions in the air around it, say between the atoms of oxygen or nitrogen, and those fusion reactions generated enough energy to start more reactions, and so on, across the entire atmosphere? It’s hard to say how seriously this was taken. It is clear that at one point, Arthur Compton worried about it, and that just the same, several scientists came up with persuasive reasoning to the effect that this could not happen. James Conant, upon feeling the searing heat of the Trinity test, briefly reflected that maybe this rumored thing had, indeed, come to pass: Then came a burst of white light that seemed to fill the sky and seemed to last for seconds. I had expected a relatively quick and bright flash. The enormity of the light and its length quite stunned me. My instantaneous reaction was that something had gone wrong and that the thermal nuclear [sic] transformational of the atmosphere, once discussed as a possibility and jokingly referred to a few minutes earlier, had actually occurred. Which does at least tell us that some of those at the test were still joking about it, even up to the last few minutes. Fermi reportedly took bets on whether the bomb would destroy just New Mexico or in fact the entire world, but it was understood as a joke. The introduction of the Konopinski, Marvin, and Teller paper of 1946. Filed under: “SCIENCE!“ In the fall of 1946, Emil Konopinski, Cloyd Marvin, and Edward Teller (who else?) wrote up a paper explaining why no detonation on Earth was likely to start an uncontrolled fusion reaction in the atmosphere. It is not clear to me whether this is exactly the logic they used prior to the Trinity detonation, but it is probably of a similar character to it. In short, there is only one fusion reaction based on the constituents of the oxygen that had any probability at all (the nitrogen-nitrogen reaction), and the scientists were able to show that it was not very likely to happen or spread. Even if one makes assumptions that the reaction was much easier to initiate than anyone thought it was likely to be, it wasn’t going to be sustained. The reaction would cool (through a variety of physical mechanisms) faster than it would spread. This is all a common part of Manhattan Project lore. But I suspect most who have read of this before have not actually read the Konopinski-Marvin-Teller paper to its end, where they end on a less sure-of-themselves note: There remains the distant possibility that some other less simple mode of burning may maintain itself in the atmosphere. Even if the reaction is stopped within a sphere of a few hundred meters radius, the resultant earth-shock and the radioactive contamination of the atmosphere might become catastrophic on a world-wide scale. One may conclude that the arguments of this paper make it unreasonable to expect that the N+N reaction could propagate. An unlimited propagation is even less likely. However, the complexity of the argument and the absence of satisfactory experimental foundations makes further work on the subject highly desirable.

### ---AT Rainout

omitted

### AT Benatar

#### omitted

# F/L – DA

## 1AR---PTX

### 1AR---2020

#### No link—normal means is to pass controversial bills after the election.

Ota 16 [Amanda Ota, () "Congress usually comes up lame in 'lame duck' POTUS years" WJLA, 4-7-2016, http://wjla.com/news/nation-world/congress-usually-comes-up-lame-in-lame-duck-potus-years, DOA:6-12-2018 // WWBW]

WASHINGTON (SINCLAIR BROADCAST GROUP) — The White House is currently in the midst of a number of political battles with Congress, as **the** Obama **administration struggles to get the legislative body to take action during** the **election season. Congressional reluctance to take action has been common** so far this year, **with lawmakers refusing to make moves in the shadow of the election.** Government Track, a website that keeps track of the actions of Congress,tallies up the number of laws enacted, resolutions passed and votes held since the 93rd Congress of 1973 and 1974. Based on their count, the least a Congress voted on legislation historically was 390 times, which occurred during the 112th Congress. Since then, the two following Congresses to serve under President Obama's tenure have managed to narrowly escaped similarly dismal vote records. "Our calculation finds that the 113th just barely avoided the dubious title of "least productive Congress in modern history," The Pew Research Center's Drew Desilver wrote back in 2014. "In all, the expiring Congress enacted 296 laws, 13 more than the 2011-12 Congress." So far, the current Congress has not shown a lot of promise, having thus far only voted on 4 percent of legislation before them. As David Mayhew, political scientist and Sterling Professor in the Political Science Department at Yale University described it, it is still too early to rate the ongoing session. "I don't see anything to chalk up yet," Mayhew said describing calendar year 2016 as "stuttering." "But it's early," he cautioned adding that the "best bet may be a fix of the Puerto Rico fiscal crisis." "They seem to be blocking on a criminal sentencing reform. The Pacific trade deal is low in the water." Saying how he was unable to tell, Mayhew explained that "**in** recent **election years**, a fair amount of **enacting has happened during a** November-December session **after the election.** " Analyzing legislation that had been passed during the lame duck session of the 113th Congress, DeSilver wrote that "we classified 71 of the 111 laws passed during the lame duck session as substantive, or 64% the lowest such percentage among the past eight Congresses." The fact **that Congress isn't making any game-changing legislative moves is unsurprising, according to experts.** Speaking with Sinclair earlier in the election, Georgetown's Dr. Joshua Huder, Senior Fellow at Georgetown University's Government Affairs Institute, explained **this Congress was bound to be unproductive.** "If you started off really well you'd still have a really bad year, this is doomed to be a low turnout, low productivity congress," Huder said Huder said to **expect much more political messaging than actual legislation.** For example he described the 112th and 113th congress as, "obsmially [un]productive" and "terrible."

### 1AR---China

#### China doesn’t have tactical nukes.

Kristensen & Korda ‘19 [Hans M. Kristensen and Matt Korda, (Hans M. Kristensen is the director of the Nuclear Information Project with the Federation of American Scientists in Washington, DC. His work focuses on researching and writing about the status of nuclear weapons and the policies that direct them. Kristensen is a coauthor of the world nuclear forces overview in the SIPRI Yearbook (Oxford University Press) and a frequent adviser to the news media on nuclear weapons policy and operations. He has coauthored Nuclear Notebook since 2001. Matt Korda is a research associate for the Nuclear Information Project at the Federation of American Scientists, where he coauthors the Nuclear Notebook with Hans Kristensen. Previously, he worked for the Arms Control, Disarmament, and WMD Non-Proliferation Center at NATO headquarters in Brussels. He received his MA in International Peace and Security from the Department of War Studies at King’s College London, where he subsequently worked as a Research Assistant on nuclear deterrence and strategic stability. Matt’s research interests and recent publications focus on nuclear deterrence, missile proliferation, gender mainstreaming, and alliance management, with regional concentrations on Russia and the Korean Peninsula. He is a 2018 alumnus of IGCC’s Public Policy and Nuclear Threats Boot Camp, a 2019 alumnus of the Wilson Center’s Nuclear History Boot Camp, and a 2019 CSIS Nuclear Scholar.) "Tactical nuclear weapons, 2019" Bulletin Of The Atomic Scientists Volume 75, 2019 - Issue 5, 8-30-2019, https://www.tandfonline.com/doi/full/10.1080/00963402.2019.1654273, DOA:2-22-2020 // WWBW]

China does not describe any of its nuclear forces as tactical weapons. In the 1980s, part of the US intelligence community believed China had or was developing tactical nuclear weapons, including short-range ballistic missiles and nuclear mines (DIA 1984, 4). A US Defense Intelligence Agency estimate of China’s nuclear strategy in 1985 found “there are indications that the Chinese, having recognized [their lack of tactical and theater options below the strategic level] as a weakness in their strategy, are pursuing a variety of programs aimed at developing shorter-range ballistic missiles and other tactical systems more suited to battlefield use. When they reach fruition in the 1990s, such systems may have a major impact on Chinese strategy, particularly employment plans” (Defense Intelligence Agency 1985, 9). Moreover, the CIA believed some of China’s nuclear tests in the early-1990s were related to warheads for short-range ballistic missiles, cruise missiles, and artillery (Norris and Kristensen 2008). Such tactical nuclear weapons do not seem to have been fielded, however, and the Chinese instead appear to have mainly chosen to rely on non-nuclear missiles for tactical use.

### 1AR---France

#### France doesn’t have tactical nukes.

Kristensen & Korda ‘19 [Hans M. Kristensen and Matt Korda, (Hans M. Kristensen is the director of the Nuclear Information Project with the Federation of American Scientists in Washington, DC. His work focuses on researching and writing about the status of nuclear weapons and the policies that direct them. Kristensen is a coauthor of the world nuclear forces overview in the SIPRI Yearbook (Oxford University Press) and a frequent adviser to the news media on nuclear weapons policy and operations. He has coauthored Nuclear Notebook since 2001. Matt Korda is a research associate for the Nuclear Information Project at the Federation of American Scientists, where he coauthors the Nuclear Notebook with Hans Kristensen. Previously, he worked for the Arms Control, Disarmament, and WMD Non-Proliferation Center at NATO headquarters in Brussels. He received his MA in International Peace and Security from the Department of War Studies at King’s College London, where he subsequently worked as a Research Assistant on nuclear deterrence and strategic stability. Matt’s research interests and recent publications focus on nuclear deterrence, missile proliferation, gender mainstreaming, and alliance management, with regional concentrations on Russia and the Korean Peninsula. He is a 2018 alumnus of IGCC’s Public Policy and Nuclear Threats Boot Camp, a 2019 alumnus of the Wilson Center’s Nuclear History Boot Camp, and a 2019 CSIS Nuclear Scholar.) "Tactical nuclear weapons, 2019" Bulletin Of The Atomic Scientists Volume 75, 2019 - Issue 5, 8-30-2019, https://www.tandfonline.com/doi/full/10.1080/00963402.2019.1654273, DOA:2-22-2020 // WWBW]

France describes all of its nuclear weapons as strategic, even the short-range ASMPA air-launched cruise missile, which, if fielded by Russia or the United States, would be described as a tactical nuclear weapon. Its range of a little over 500 kilometers and the short-range fighter-bombers that are assigned to deliver it all have characteristics that place the ASMPA in the tactical weapons category – except it is considered to be strategic by France

### 1AR---Modi

#### India doesn’t have tactical nukes.

Kristensen & Korda ‘19 [Hans M. Kristensen and Matt Korda, (Hans M. Kristensen is the director of the Nuclear Information Project with the Federation of American Scientists in Washington, DC. His work focuses on researching and writing about the status of nuclear weapons and the policies that direct them. Kristensen is a coauthor of the world nuclear forces overview in the SIPRI Yearbook (Oxford University Press) and a frequent adviser to the news media on nuclear weapons policy and operations. He has coauthored Nuclear Notebook since 2001. Matt Korda is a research associate for the Nuclear Information Project at the Federation of American Scientists, where he coauthors the Nuclear Notebook with Hans Kristensen. Previously, he worked for the Arms Control, Disarmament, and WMD Non-Proliferation Center at NATO headquarters in Brussels. He received his MA in International Peace and Security from the Department of War Studies at King’s College London, where he subsequently worked as a Research Assistant on nuclear deterrence and strategic stability. Matt’s research interests and recent publications focus on nuclear deterrence, missile proliferation, gender mainstreaming, and alliance management, with regional concentrations on Russia and the Korean Peninsula. He is a 2018 alumnus of IGCC’s Public Policy and Nuclear Threats Boot Camp, a 2019 alumnus of the Wilson Center’s Nuclear History Boot Camp, and a 2019 CSIS Nuclear Scholar.) "Tactical nuclear weapons, 2019" Bulletin Of The Atomic Scientists Volume 75, 2019 - Issue 5, 8-30-2019, https://www.tandfonline.com/doi/full/10.1080/00963402.2019.1654273, DOA:2-22-2020 // WWBW]

Several of India’s nuclear weapons systems also have characteristics that appear tactical, but the Indian government considers them all to be strategic weapons. This includes the Air Force’s fighter-bombers, the Army’s Prithvi-II short-range ballistic missile, and the Navy’s Dhanush missile. The same could be said for some Israeli and North Korean nuclear weapon systems.

### ---Econ

#### Modi isn’t pursuing reform now and won’t unless he’s forced away from nationalism.

Lakhani 1/20 [Shezad Lakhani, (Shezad Lakhani is a former economic analyst with the U.S. government whose career focused on South Asia., ) "How the Modi Administration Is Hamstringing the Indian Economy" The Diplomat, 1-10-2020, https://thediplomat.com/2020/01/how-the-modi-administration-is-hamstringing-the-indian-economy/, DOA:1-27-2020 // WWBW]

Prime Minister Narendra **Modi’s** ability to repeatedly reorient the focus of his administration has been key to his political rise and resilience, but his administration’s **unwillingness to have** and communicate **a uniform economic ideology is hamstringing the Indian economy.** While an ever-evolving agenda makes Modi appear proactive in the eyes of his supporters and India’s hyperactive media, constantly changing what policy trade-offs are acceptable to the government leaves market participants confused about the government’s priorities. Economic policy dissonance has spanned a number of issues. Financial Sector Stress: The Modi government inherited a bad loans crisis in the banking sector. The government initially backed the central bank’s attempts to force banks to recognize the problem, proclaiming that the government would not allow corrupt lending practices to continue. It also passed a bankruptcy code, which has improved conditions even though it has moved slowly. However, as banks were forced to disclose troubled loans and provision against them, and as the enormity of the problem became evident, the government’s will to tackle it began to wane. The Modi government pushed out two central bank governors who heralded more transparency, moved away from forcing greater recognition as the economy slowed, and now is pushing banks to make questionable loans in “loan melas.” As the problem has spread from banks to India’s shadow banks, the lack of transparency in the sector has led to confusion about the extent of the problem and possible solutions. Corruption: In November 2016, Modi surprised everyone by demonetizing 86 percent of the currency in circulation, with the stated goal of combatting black money and corruption. While the move led to economic chaos that lasted a few months, it paid political dividends as Modi’s party resoundingly won the state elections in Uttar Pradesh, India’s largest state, that followed. Yet, only a few months later Modi approved a new system for political contributions called electoral bonds, disregarding concerns from India’s central bank about money-laundering and donations through shell entities. Data indicates that Modi’s BJP has received up to 95 percent of all donations made via electoral bonds. Budget Discipline: The Modi government early in its tenure worked to reduce India’s high budget deficit, benefitting from the substantial fall in global oil prices. While the government has officially stuck to its deficit reduction plan, as the economy slowed after demonetization and the introduction of a new goods and services tax (GST), the government pushed state-owned companies and departments to increase spending and borrow off-budget. Without credible budget data it is difficult to determine the extent of the problem — a recurring problem with the Modi government — but some experts estimate that the combined government deficit in India is almost 9 percent of GDP. Trade: While touting its goal of “Make in India,” the government became the first in decades to increase tariffs on imports, hurting India’s potential to integrate into global supply chains. India remained in discussions over the Regional Comprehensive Economic Partnership, a regional trade agreement with China and major Asian economies, and as discussions concluded Indian Minister of Commerce Piyush Goyal sent signals that India would join the agreement. However, as the government received criticism from India’s left and elements of their own base, Modi decided not to join the trading bloc. In its sixth year in office, **the Modi government’s** political and societal vision of creating a more Hindu India is clear, but its **economic record is full of contradictions.** While it has announced many high-profile programs, it has not been able to stitch them into a coherent policy direction. Modi has articulated “ease of living” as a goal and highlights how the government has used technology to stem corruption and leakages in India’s bureaucracy. As the same time it gave the bureaucracy unprecedented power during demonetization and is considering doing so again with a citizen registry, even though these measures are beyond the capacity of most efficient organizations, let alone the short-staffed and under-qualified bureaucracy that India possesses. Similarly, the government is obsessed with its ease of doing business rankings but is unwilling to definitively tackle the stress in the financial sector needed to spur investment. **Policy Reincarnations Without a Core Economic Identity** **Modi**’s ability to reinvent his political identity has been a successful electoral strategy. He won the 2014 national election on the promise of good economic days, triumphed in UP as an anti-corruption crusader, and **was re-elected nationally by touting improved provision of government services and a tough foreign policy.** The current “anti-immigration” push is reportedly tied to upcoming state elections in West Bengal. Any party in India’s diverse and multi-party system only needs a plurality of voters to hold enormous political advantage; in 2019 BJP received over 37 percent of the vote, which led it to win more than 55 percent of seats. The reincarnations have allowed Modi and BJP to stitch together a plurality of voters, and ally or buy coalition members when necessary, but left behind a dizzying array of policies that are implemented partially and discarded once the political mileage from them is maximized. **Successful economics**, on the other hand, **requires supporters, opponents, and apolitical participants to understand and adapt to the policy priorities of the government.** Even if it is assumed that everyone who voted for the BJP knows the government’s policy priorities or is willing to act on trust and faith, the over 60 percent of the country that didn’t vote for the party needs a clear idea of what policies to expect and how to plan around them, which the Modi government has not laid out or demonstrated. Economic studies in the United States suggest that economic policy uncertainty dampens investment decision and employment creation, which is precisely the crisis facing the Indian economy. Total investment as a percent of GDP peaked in 2011 at almost 40 percent of GDP, but has declined steadily to little more than 31 percent in 2019, according to IMF data. While Indian employment data is poor, anecdotal evidence including several instances of thousands of job applications for low level government jobs, highlights the enormity of the job crisis in India. **Adding Intolerance Fuel to the Uncertainty Fire** This **lack of economic policy direction is exacerbated by the government’s intolerant social agenda.** While **Modi**’s government gave social space in its first term to cow vigilante groups that largely targeted Muslims, it **has steeply intensified its Hindu nationalist agenda** in the last few months. In August, the government unilaterally removed the special status for Jammu and Kashmir. Fearing a backlash from the state’s populace, the Modi government has orchestrated a prolonged crackdown in the former state, including the longest internet shutdown in any democracy. Then, in December, the government passed a Citizen Amendment Act (CAA) creating a special citizenship path for all religious groups from Pakistan, Bangladesh, and Afghanistan – except for Muslims. It has tied the move to the promised National Registry of Citizens (NRC), which would require all residents to prove their citizenship. While all other residents who could not prove their citizenship would have the recourse of regaining citizenship through the newly created path, millions of Muslims could face legal limbo and detention. The size of India’s Muslim population, combined with the broader repercussions of the Modi government’s policies, make these actions not only an attack on India’s secular identity but a threat to the economy. The approximately 180 million Muslims in India would themselves be the eighth most populous country in the world. Jeopardizing the social standing, identity, and potentially safety of such a large number of people would inevitably reduce the trust and faith they need to invest and participate in a thriving economy. Meanwhile, the government appears to have not expected the protests that have sprung up against the CAA and NRC. Its decision to curb internet services and use strong arm tactics to combat protestors in multiple states is not only hurting India’s image abroad, including among foreign investors, but hampering everyday economic life. The government recently implemented a citizen registry in Assam, and while most residents made the final list, almost 2 million people were left off. While the registry was intended to target Muslims and migrants, the difficulty of enacting such a list combined with shortcomings of the Indian bureaucracy has led to people of all backgrounds being left out. Expanding this move to the rest of the country would leave over a billion people scrambling to prove their citizenship, divert strained government resources to administer such an endeavor, and leave tens of millions in legal limbo. **Crisis Should Reveal Character A slowing economy has brought India’s long-standing economic problems to the forefront, but instead of leveraging the moment of the crisis to move boldly to reform the economy, the government has continued its policy of half-measures and combined them with Hindu nationalist policies that divide and distract the nation.** The government’s former chief economic adviser has compared the depth of the current slowdown with the macro-economic crisis India faced in 1991. In response to that crisis, the government began to dismantle India’s “license raj,” which not only averted the crisis but also provided the momentum and direction that has powered India’s economic growth for multiple decades. In response to the growth slowdown, the Modi government announced a reduction in corporate taxes, a long-standing complaint of businesses, and a privatization program that has yet to bear any fruit. The targeted measures, while being helpful, are not sufficient to address the systemic problems, especially in the financial sector. **Ramming through divisive social policies as the economy is facing a severe slowdown indicates that the government either is intentionally trying to distract the populace from the state of the economy or is not taking the economic slowdown seriously enough to devote its entire effort toward it.** It is inevitable that the economy will eventually bottom out from the current slowdown in a few months or a few quarters. It will be easy for the government to claim victory and state that things are fine as economic numbers, which likely overestimate growth, rebound. That, however, will be short-sighted. If the government cannot provide clear direction on what types of policy trade-offs it is willing to accept and what economic model it is willing to subscribe to, India will continue to not live up to its economic potential.

## 1AR---Deterrence

### 1AR---China

**omitted**

### 1AR---NATO

#### omitted

# F/L – CP

### 1AR---NFU CP

omitted

### 1AR---Turkey PIC

# F/L – T/Theory

### 1AR---Reasonability

omitted

### 2AR---Reasonability

#### omitted

### 1AR---AT T-Eliminate

#### Counter interp – elimination strategies can be full or partial.

Marr et al 1 (Norman E Marr (Professor of Marketing and Head of Department at the University of Huddersfield Business School), David R Harness (Senior Lecturer in Marketing), and Tina Goy (Lecturer in Marketing), “A COMPARISON OF ELIMINATION STRATEGIES FOR PHYSICAL GOODS AND FINANCIAL SERVICES PRODUCTS.” Journal of Product & Brand Management, December 2001, http://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.200.5867&rep=rep1&type=pdf.) [Premier]

Previous work in this field (Harness & Mackay, 1993) identified the fact that product elimination in the financial services sector occurs at two different levels. The first level, and akin to the definition of physical goods elimination, defines elimination as: “Full elimination is the removal of a core product and attributes of production so that all liability for the product is eliminated” pp464. The second definition takes account of the practicalities faced by the UK financial services sector in terms of the barriers that exist to elimination. The definition acknowledges that much of the elimination in this sector is partial and involves various levels of de-marketing: “Partial elimination is the removal of the product from some or all new sales of the product, but a liability for servicing existing product holding customers remains”. pp 464

Prefer:

1] Ground – there’s one aff under their interp – kills quality and quantity of aff ground— neg gets more and better arguments since they have generics and specifics while aff has one position. Outweighs on reversibility: neg can still use generics to engage spec affs but there’s no check to 2NR scripts and neg monopolization of strategy with only one aff.

2] Resolvability – different weapons have different impacts on international strategies – we can’t weigh the goodness of ICBMs v the badness of gravity bombs – causes vacuous debates that aren’t real world. Outweighs – the judge can’t determine who the better debater is if the debate is irresolvable.

#### I meet

I meet – the aff completely eliminates tactical arsenals – their interp begs the question of the scope of “nuclear arsenals” – even if eliminate means completely eliminate, their interp presumes nuclear arsenals refers to all arsenals which they haven’t warrants

#### AT Semantics

omitted

#### AT Limits

omitted

#### AT Ground

omitted

### ---Niemi

#### this is racist – voting issue for deterrence and its key to punish racism as a judge.

Niemi 15 Rebar. “Nebel T: I sip it.” Premier Debate. September 22, 2015.

Correctness is racism. Correctness is “you must be either a boy or a girl or you are wrong.” Correctness is “the ideal functioning body versus all others.” Correctness is one kind of person having access to The Truth and others lacking it. Correctness is “sit down and shut up.” Correctness is “your kind aren’t welcome here.” Any debater who runs so called “Nebel T” and any judge who votes for this argument must acknowledge that they are situationally and strategically embracing a perspective from which there is an implicit or explicit metric of what it means to be a competent english speaker. What is the logical conclusion of speaking competent english? The notion that “mongrel” forms of english are inferior, diminished, unpersuasive, and should not have access to the ballot. Quite possibly the notion that those who can’t live up to these standards should not be involved in debate. After all, their dialects are not what resolutions are written in – it is people like Mr. Nebel whose dialect prescribes correct resolutional meaning.

### ---AT Courts

#### Eliminate doesn’t have to be 100% – prefer legal interpretation over mis-applied dictionaries.

8th Circuit Court of Appeals 11 Court of Appeals, 8th Circuit, BUETOW v. ALS ENTERPRISES, INC., 2011

The district court took a simple approach in determining that all ads claiming that Defendants' garments "eliminate odor" or use "odor eliminating technology" were literally false. Citing two dictionary definitions of the word "eliminate," the court concluded that "[t]he word `eliminate' is subject to only one reasonable interpretation — complete elimination." The court rejected Defendants' reliance on dictionary definitions equating "eliminate" with "remove" because "use of the word `remove' would also be literally false if used in Defendants' advertisements." The court disregarded the fact that other hunting products used the word "eliminate" because "such advertisements may also be literally false." 713 F. Supp. 2d at 839, 840, & n.10. Because even Defendants' expert conceded that their garments were incapable of adsorbing every single molecule of odor, the court permanently enjoined all use of the term "eliminate" as literally false.

We disagree with the district court's decision to base its determination of literal falsity on the most absolute of competing dictionary definitions of the word "eliminate." The Lanham Act doctrine of literal falsity is reserved for an ad that is unambiguously false and misleading — "the patently false statement that means what it says to any linguistically competent person." Schering-Plough, 586 F.3d at 513. We doubt there are many hunters so scientifically unsophisticated as to believe that any product can "eliminate" every molecule of human odor. As Judge Henry Friendly explained in reversing a district court's literal falsity finding and directing dismissal of the competitor's Lanham Act false advertising complaint, a district court errs when it ignores "the principle that text must yield to context" and "**make[s] a fortress out of the dictionary**." Avis Rent A Car Sys., Inc. v. Hertz Corp., 782 F.2d 381, 385 (2d Cir. 1986). Here, we conclude it was error to enjoin all uses of the term "odor eliminating" as literally false. It may be that some of Defendants' ads over the course of this twelve-year period so exaggerated the basic claim as to be literally false, rather than nonactionable "puffery," such as claims that the garments work on "100% of your scent 100% of the time," render the wearer "completely scent-free," or "create an impervious shield to odor." But it is unclear the extent to which these ads were ever published, whether they have long since been discontinued, and whether consumers were deceived.

### 1AR---RVI

#### omitted

### ---Substantive Ed Weighing

#### omitted

### ---AT Shouldn’t Win For Being Fair

#### omitted

### ---AT You Can Read Theory

#### omitted

### ---AT Prevents Checking Actual Abuse

#### omitted

### ---AT RVIs = Less Substance

#### **omitted**

### ---AT Baiting Theory

#### omitted

### ---AT Winning Off of I-Meets

#### omitted

# F/L – K

# F/L – NC