

## The Demise of Arms Control?

Is arms control dead?—certainly not if its proponents recognize and adapt to the altered world in which we now live. Alternatively, if we fail to adapt and instead pursue arms control objectives derived from a bipolar world or reflecting naïve, universalist assumptions, arms control will be useless and, at times, counterproductive.

The proper objective for arms control is to increase international stability and, more directly, the security of the United States and its allies. It should not be, as its most eager supporters advocate, simply to reduce armaments.

The central feature of classic arms control agreements was that the United States and the Soviet Union could enhance mutual stability and thus their own security by agreeing to limit certain categories of (destabilizing) armaments, providing such agreements could be verified. Thus, overall international stability would be enhanced. The risk, of course, was that achieving or preserving the agreement might become an end in itself and that such painful questions as compliance or whether the agreement actually enhanced stability would be overlooked.

Even during the Cold War, the presupposition of bipolarity was pressed by some further than it should have been, as if the United States and the Soviet Union were alone in the world. Some advocates, for example, tended to forget the simple fact that U.S. forces provided extended deterrence for U.S. allies in Europe—and, in a somewhat more benign context, in northeast Asia. Thus, the generally bipolar world was complicated by the need to take third parties into account. In that bipolar world, many arms control issues could be viewed in terms of duopoly—in that only the United States and

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the Soviet Union had significant capabilities, and thus the task was one of negotiating with, and scrutinizing the behavior of, one's principal adversary.

But the Cold War is now over; the Soviet Union is gone. Advanced weapons capabilities have spread and will further spread to other parties. Thus, the analogy for arms control has now shifted from duopoly to cartel—in which the behavior of numerous other parties must be watched and preferably controlled. This is a far more demanding task. History teaches us that smaller participants in cartel agreements frequently enter those agreements with no intention to comply in the long run (and frequently not even in the short run). They enter into the cartel agreement to restrict the behavior of others, to draw advantages for themselves, and with every intention, to put it bluntly, to cheat early. In the history of cartels, incidentally, it has normally been the leader that has borne the principal burden of complying with the agreement. For that reason, it is particularly incumbent upon the leader to be wary at the outset regarding the details of the agreement.

Consider the goal of nonproliferation. What we have seen in the last half-century is that proliferation cannot be prevented—but it can successfully be slowed. Indeed, compared with the fears expressed in the 1950s and 1960s, the spread of nuclear weapons has been remarkably slow. (It might have been even slower if the United States, priding itself on its openness and its eagerness for declassification, had not so generously spread around information on how to design and produce nuclear weapons).

Given the metaphor of the cartel, the necessary target for arms control is to constrain those who desire to acquire nuclear weapons. A Luxembourg or even a Germany may have no inclination to exploit an arms control agreement as a cover for cheating, but others will have that simple objective. A general agreement imposes no restraint on a North Korea or an Iraq. They will be constrained by direct pressure or by direct action, if they are to be constrained at all. For rather different reasons, an India or an Israel is not going to be constrained by a general agreement. To believe otherwise is to embrace the quixotic notions of the Kellogg-Briand Pact.

Thus the question of enforceability becomes more difficult as it becomes more central. Sometimes, difficult tradeoffs must be made. In 1994, the United States chose to ignore the clear violations of North Korea and its obligations under the Non-Proliferation Treaty to the International Atomic Energy Agency—in the hope that it might be able to “freeze” North Korea's nuclear development. Sometimes, arms control agreements are little more than pious hopes with little capacity (or even intent) to achieve enforcement. Today there are 10 to 15 nations aggressively seeking chemical or biological weapons, many of them unconstrained by their obligations under the Chemical Weapons Convention or Biological Weapons Convention. Detec-

tion or verification is simply too difficult. Indeed, in the case of the Biological Weapons Convention there simply is no enforcement mechanism.

The upshot is that we fool ourselves if we believe that general agreements impose substantial barriers to those determined to acquire new capabilities. But arms control objectives can be obtained through direct pressure—rather than through a general agreement—or, as the case of Israel and the Osirak reactor may suggest, through direct action. For those who would argue that, in a world of sovereign equals, such action violates national sovereignty, one should point to the recent rhetoric regarding Serbia. If we have embraced the right to trample on sovereignty in the name of human rights, surely we must be prepared to consider similar action to prevent a rogue nation from acquiring a nuclear capability (something that is detectable).

Of course, the issue of sovereignty goes to the heart of the presumption of universalism that forms the basis of many recent arms-control agreements. That all sovereign nations are equal is an axiom among international lawyers—if not among practicing politicians. Nonetheless, this legal concept should not be allowed to obscure fundamental realities.

The fiction of equality among sovereign nations underlays the recent controversy over the Comprehensive Test Ban Treaty (CTBT). The negotiators of that treaty sought to be faithful to the principle of equal treatment of all nations, but could do so only by ignoring the basic realities. Thus, they presumed that the testing regime should be the same for both weapon states and non-weapon states. In the quest to constrain weapons development, it is presumed that the testing regime should be the same for the United States and, for example, Luxembourg. Thus, the testing regime becomes the same for nations that have no nuclear weapons, for those that have nuclear weapons but are most unlikely to have to envisage circumstances in which they must be used, and for states that must maintain the readiness of their nuclear arsenal. Such a regime might be acceptable to the last category of states for an extended period, but cannot be accepted in perpetuity.<sup>1</sup> For a number of reasons, too lengthy to be developed here, complicated devices like nuclear weapons, composed of thousands of parts, cannot remain untested for extended periods—without confidence in the reliability of those weapons diminishing. Thus, over time, the total cessation of testing implies gambling with the effectiveness of the deterrent. Computer modeling—even good computer modeling—is no substitute for testing. (For many, the inevitability of the decline of the reliability of the nuclear stockpile was a bonus

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and possibly an objective of a test ban).

When presented with the CTBT, all members of the Senate would have to judge for themselves how much risk over time they were prepared to accept. The majority of the Senate ultimately concluded—quite properly in my judgment—that gambling with the efficacy of the U.S. deterrent was not something that they were prepared to ratify, given the unique position of the United States in the world today. Not knowing how the strategic scene might change over 20, 30, or 40 years, the majority were unwilling to gamble with the reliability of the U.S. nuclear deterrent.

Perhaps a regime of no testing would have been acceptable if the United States were a normal country with a normal foreign policy. But the United States has drifted to, been pushed to, or seized the role of international sheriff and arbiter. So long as it accepts the heavy commitments that role implies and so long as uncertainties regarding the longer-run strategic scene exist, the United States cannot accept the same testing regime as nations prepared to forego the acquisition of nuclear weapons or nations whose deterrents are essentially there for show.

The quixotic pursuit of universality, which ignored both the long-run necessity of testing for serious nuclear weapon states and the distinct role that the United States plays in the world, has meant that the opportunity was lost to craft a testing regime that would have imposed some restraint on proliferation without imposing a long-run decline in the reliability of crucial nuclear weapons stockpiles.

The conclusion is simple. General arms-control agreements, if they are to be successful, must be grounded in the realities—including the reality of different roles and requirements for different states. Otherwise, such agreements will come apart on a Procrustean bed, which essentially denies that such differences exist—and must be dealt with. Thus, the future of arms control will depend on the willingness of our negotiators to shed obsolescent ideas—and to find more imaginative ways for limiting the spread of arms in a greatly altered environment.

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1. When questioned on the test ban by the White House in 1993, I indicated that, while I was not a fan of the test ban, the two ingredients that could not be part of such a ban were permanence of the treaty and zero yield. It is perhaps unnecessary to remind this audience that those two features were ultimately included in the proposed treaty presented to the Senate.