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Disarmament and Arms Control: A Discourse

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Abstract

Disarmament and arms control is still one of the burning issues in various international forums. Eminent scholars have diverse opinions about the issue, some favour total elimination of dangerous weapons for the world peace while the others opine that it should be better to control and limit these weapons. If we look back the history of human civilization, the ancient Greek already did something to control arms. This paper highlights and analyses various treaties relating to disarmament and arms control which were seen in different periods in brief. The nature and meaning of the term, the reason why we need disarmament and arms control and dilemma in reality have also been analyzed. Moreover, theoretical analysis and conclusion from political realisms and idealism has been incorporated.

Key Words: Disarmament, Arms Control, United Nations, Treaty, Political Realism, Idealism

Disarmament & arms control

Let us examine first, the nature and meaning of disarmament and arms control. Hans Joachim Morgenthau, one of the major figures in the study of international relations in the twentieth century and one of the three leading American realists of the post-World War-II period, opined that disarmament implies reduction or elimination of armaments whereas arms control envisage regulating the armaments race for the purpose of creating a measure of military stability. Commonly, it is said that arms control aims to limit the number of weapons and to regulate their use by virtue of bilateral or multilateral agreements or arrangements. However, disarmament aims at the elimination of entire weapon system categories. Disarmament became the fashionable term during the nineteenth century, particularly during and after the Hague Conference of 1899, to describe all efforts to limit, reduce or control the implements of war. While some individuals may employ disarmament in the literal sense – the total elimination of armaments but most

diplomats and commentators do not. The UN and its subsidiary agencies use it as a general term covering all measures, "from small steps to reduce tensions or build confidence, through regulation of armaments or arms control, up to general and complete disarmament."²

In the early 1950s, academic specialists linking the technology of nuclear weaponry to the strategies of the cold war began substituting the term "arms control". For them disarmament not only lacked semantic precision but carried utopian expectations, whereas arms control involved any cooperation between potential enemies designed to reduce the likelihood of conflict or, should it occur, its scope and violence. Most arms controller sought to enhance the nuclear deterrence system and only occasionally sought force reductions, while literal "disarmers" dismissed arms control as a chimera and supported proposals seeking general and complete disarmament.³

Why do we need arms control or disarmament?

The UN charter empowers the General Assembly of UN to consider principles for arms control and disarmament and to make recommendation to member states and the Security Council. The Security Council of UN is given the responsibility by the UN charter to formulate plans for arms control and disarmament. The UN's founders expected that the maintenance of international peace and security would lead to the control and eventual reduction of weapons.⁴ No doubt, the arms race makes tension and insecurity to the international community and eventually it may often lead to war. If there had not been arms race then there might not occur the First and the Second World War.

Secondly, many countries spare their budgets for manufacturing and importing the armaments, so, the arms race capture lion's share in the state budget that hampers developments and progress. Hence, the progress of other sectors like agriculture, health care, education, social security etc is often slower than expected. Take for instance, the Indian government signed an inter-governmental agreement with France in September 2016 for procurement of 36 Rafale fighter jets at a cost of around Rupees 58,000 crore. Rafale fighter jet is one of the most advanced fighter aircraft and it is a twin jet combat aircraft manufactured by Dassault Aviation. It is apparent that the main reason to purchase Rafale fighter jets would be to strengthen the Indian Air Force and Indian defence for internal and external security of the nation. However, if a large amount of Rupees 58,000 crore had been transferred to develop various sectors, certainly the pace of development and progress would be improved. This is just one case, so, we need to control arms race for making peace and stability in the world and to make fast economic progress particularly for the developing nations.

Now we shall highlight and discuss some treaties and initiatives about disarmament and arms Control in brief:

History of Arms Control prior to the 19th Century

If we look back the ancient Greece, they were doing something to control arms. One of the first recorded attempts in arms control was a set of rules laid down by the Amphictyonic Leagues. Rulings specified how war could be waged, and breaches of this could be punished by fines or by war. The church used its position as a trans-national organization to limit the means of warfare. The 989 Peace of God (extended in 1033) ruling protected non-combatants, agrarian and economic facilities, and the property of the church from war. The 1027 Truce of God also tried to prevent violence between Christians. He use of crossbows against other Christians was prohibited in the Second Lateran Council in 1139, though it did not prevent its use against non-Christians.

Strasbourg Agreement is another interesting treaty which was concluded in 1675. This has been the first international agreement limiting the use of chemical weapons and the focus in this case was poison bullets.

19th Century

In the modern industrial era, Rush-Bagot Treaty of 1817, which was signed between the US and the UK, was the first arms control treaty that led to the demilitarization of the Great Lakes and Lake Champlain region of North America. This treaty was followed by the 1871 Treaty of Washington which led to total demilitarization. The peace of mechanization of warfare and rapid development of firearms were much intensified by industrial revolution. Russian leader Tsar Nicholas-II called the leaders of 26 nations for the first Hague Conference in 1899 and the outcome of the conference was the signing of the Hague Convention of 1899. The Hague Convention of 1899 led to rules of declaring and conducting warfare as well as the use of modern weaponry and also the setting up of the Permanent Court of Arbitration was the outcome of the convention.

20th Century

The Second Hague Conference was called in 1907 and this conference made some additions and amendments to the original 1899 agreement. Subsequently, a third conference was called in 1915, but, this was abandoned due to the I-World War. After the first World War, the League of Nations (LON) was set up and this was the first world wide inter-governmental organisation which attempted to limit and reduces arms. It was founded on 10 January, 1920, following the Paris Peace Conference which ended the World War-I. The Principal Mission of the League was to maintain world peace. However, the enforcement of its attempt to limit and reduce arms was not effective.⁶

In 1922, the Washington Naval Treaty was signed among the major nations which won the World War-I. This treaty was also known as the Five-Power Treaty which agreed to prevent an arms race by

limiting naval construction. This treaty was negotiated at the Washington Naval Conference, held in Washington D.C, from November 1921 to February 1922. This Five Power Treaty was signed by the five governments of United Kingdom, United States, France, Italy and Japan. This treaty limited the construction of battleships, battle cruisers and aircraft carriers. This treaty limited the construction of battleships, battle cruisers and aircraft carriers. This treaty did not limit other categories of warships like cruisers, destroyers and submarines, however, those ships were limited to 10,000 tons displacement each other. The Washington Naval Treaty was concluded on February 6, 1922. On August 17, 1923, ratifications of the treaty were exchanged in Washington and it was registered in the League of Nations Treaty series on April 16, 1924.

However, several countries deployed or prepared chemical weapons in spite of the treaty. Spain and France did so in the Rif war before the treaty came into effect in 1928. Chemical weapons were also used by Japan against Taiwan in 1930 during the Wethe Massacre. Italy also used mustard gas against Abyssinia in 1935. Even from 1938 to 1941, Japan used chemical weapons against China.⁸

Since 1945 (after the Second World War)

The formation of United Nations at San Francisco in the summer of 1945 marked the beginning of a new era in international relations. One of the most important objectives of the United Nations was the commitment to save succeeding generations from the scourge of war. Within the framework of the United Nations, member States were offered opportunities to develop new forums, methods and international machinery of cooperation for international peace and security. To help achieve that goal, the UN General Assembly and Security Council were entrusted with the responsibility for dealing with questions of arms limitation and disarmament. A few months after the first atomic bombs were dropped on Hiroshima and Nagasaki the two cities of Japan, the United Nations Energy Commission (UNAEC) was formed by the UN General Assembly in its first resolution to deal with the problems raised by the discovery of atomic energy. However few day after signing the UN charter, the world witnessed nuclear race, so, the newly formed UN was confronted with unprecedented military and political problem.

Partial Test Ban Treaty (PTBT)

Four years after a long process of negotiations, the Partial Test Ban Treaty (PTBT) was finally signed on August 8, 1963. No doubt, the treaty was a significant step after the world war-II towards disarmament and its aim was to reduce the dangers of radioactive fallout from the nuclear tests in the atmosphere. The three nations, USA, Britain and the USSR, were the original members and the treaty contains five articles. Despite a significant step towards disarmament and world peace, the treaty has been criticized due to the following point; Article 1 of the treaty prohibits every member to conduct any nuclear test under its jurisdiction and control atmosphere, outer space and under water or high seas. However, the treaty does not prohibit underground nuclear test due to inadequate scientific knowledge to detect underground nuclear test. Due to this drawback, the two signatory nations which were in the rivalry of super powers such as US and USSR conducted many underground tests. Secondly, critics did not accept this treaty

successful because two nuclear powers – France and China refused to sign the PTBT. In spite of its shortcomings, the PTBT was an effort towards disarmament.¹²

Nuclear Non-Proliferation Treaty (NPT)

The Nuclear Non-Proliferation Treaty (NPT), commonly known as NPT, has been a major international treaty and its main objective is to prevent the spread of nuclear weapons and its technology and to promote cooperation in the peaceful uses of nuclear energy. It was voted by the General Assembly in June, 1968 and signed on July 1, 1998, simultaneously in London, Moscow and Washington. Finally, it came into force on March 5, 1970 and around 191 nations are party to the treaty. According to the treaty, the nuclear states are those nations which built and tested a nuclear explosive device before January 1, 1967. On the basis of this definition, five nations, namely, United States, Russia, United Kingdom, France and China are accepted as nuclear states. A

The NPT has two important objectives, the first objective is that the countries already possessing nuclear weapons should not transfer, directly or indirectly, nuclear weapons or their control to a country not acquiring nuclear weapons. Any form of incitement to possess nuclear weapons is also forbidden. Secondly, non-nuclear weapons states should not undertake to manufacture nuclear weapons or to seek help or to accept their transfer to procure them.¹⁵

No doubt, NPT is the outcome of collective efforts towards disarmament and for making a stable international peace and security. At the same time, the treaty suffers from various shortcomings, some nations refused to sign the treaty in the beginning and they just signed it after the end of cold war, South Africa (1991), China (1992), France (1992), Belarus (1993), Ukraine (1994), Kazakistan, Argentina and Brazil signed and joined the treaty between 1991 and 1997. The four nations, India, Israel, Pakistan and Cuba are non-signatories of the treaty till date. The reason why India refused to sign the treaty is that it is a biased legal instrument that divided the world into nuclear haves and nuclear have-nots. Its discriminatory nature enables the nuclear states to carry out nuclear states without any restraint. Hence, it makes imbalance between the nuclear and non-nuclear states.

Strategic Arms Limitation Talks (SALT-I & II)

During cold war, the two super powers – United States and USSR agreed to have talks to limit strategic arms. This talk was first suggested by U.S President, Lyndon B. Johnson in 1967, and both sides agreed the talks in the summer of 1968 and full scale negotiations commenced in November 1969. Finally, the first agreement – Strategic Arms Limitation Talks commonly known as SALT-I were signed by the United States and its counterpart USSR in 1972 and the second agreement of SALT-II was also signed in 1979. ¹⁶

The treaty of SALT-I aimed to restrict the deployment of anti-ballistic missile (ABM) defence system by the United States and USSR to equal and very low level. The treaty allows each super power to construct only two defensive network – one within a radius of 150 kms around the capital of each country and the other within a radius of 150 kms around the zone where the silos protecting Inter Continental Ballistic Missiles (ICBM) are placed. It was also permitted that a five year interim agreement on strategic offensive arms, which restricted each side to have a number of ICBM and SLBM (Submarine launched ballistic missiles). On the basis of their actual strength on July 1, 1972, the strength of ICBM for the USSR and the US was fixed at 1618 and 1054 respectively. Martin observed that the SALT-I agreement in no way constitute a progress towards nuclear disarmament. It is mainly a simple accord of quantitative arms limitation. He is of the opinion that both super powers possess sufficient quantities of weapons to enable one to destroy the other a dozen of times. It serves no purpose to add to the amount of missiles. But, this, in no way, prevents a race for qualitative armaments.¹⁷

Five years after prolonged negotiations between the United States and USSR, the SALT-II treaty was signed on June 18, 1979, at Vienna by U.S President, Carter and USSR President, Brezhnev. The treaty was a serious of talks between U.S and USSR starting negotiations from 1992 to 1979 which sought to curtail the manufacture of strategic missiles capable of carrying nuclear weapons. The SALT-II treaty banned new missile programmes (a new missile defined as one with any key parameter 5% better than in currently deployed missiles). Due to this, the two super powers were forced to limit their new strategic missile type development and construction, such as the development of additional fixed ICBM launchers. ¹⁸

The SALT-II treaty was not ratified by the United States due to the Soviet invasion of Afghanistan in December, 1979, six months after signing the treaty. Besides this, in September of the same year, the United States discovered that a Soviet combat brigade was stationed in Cuba. Due to the above incidents, United States President, Carter withdrew the treaty from consideration in January, 1980 and the US Senate never consented to ratification. However, the terms of the SALT-II treaty was respected by both sides till 1986.¹⁹

Intermediate Range Nuclear Forces Treaty (INF Treaty)

The Intermediate Range Nuclear Forces treaty, popularly known as INF treaty was signed on December 8, 1987 at Washington by U.S President, Ronald Reagan and USSR General Secretary, Mikhail Gorbachev. The INF treaty was between the United States and its counterpart USSR for elimination of their Intermediate-Range and shorter-Range missiles, it banned all of the two nation's land based ballistic missiles, cruise missiles, and missile launchers with ranges of 500 – 1,000 km (310-620 mi – short medium range) and 1,000 – 5,500 km (620 – 342 mi). The INF treaty was viewed by many as a step to create a less armed and safer world. The then UN Secretary General, Javier Perez de Cueller also stated that the INF treaty marked the first time an agreement had been reached that would actually reduce the awesome stocks

of nuclear weapons in the world. The treaty came into force on June 1, 1988 and was fully implemented by June 1, 1991.²¹

On October 20, 2018, United States President, Donald Trump announced that US would be withdrawing from the INF treaty and he said that Russia has been violating it for many years. This announcement was also immediately responded by Russia on the following day. It is said that another factor which pulled the US out of the treaty is to counter a Chinese arms buildup in the Pacific including within the South China Sea as China was not a signatory to the treaty. Regarding the US withdrawal about INF treaty, its counterpart Chinese Government also reacted and its Foreign Ministry stated that a unilateral US withdrawal would have a negative impact and urged the US to think thrice before acting. In response to Chinese statement, the US National Security Adviser, John R. Bolton, on the Russian radio station, Echo of Moscow on October 23, 2018, said that the recent Chinese statement indicated China wanted Washington to stay in the treaty while China itself was not bound by the treaty. On August 2, 2019, the United States formally withdraw from the INF treaty.²²

Strategic Arms Reduction Treaty (START I & II)

A historic Strategic Arms Reduction Treaty popularly known as START-I was signed by the then U.S President, George H.W Bush and Soviet President, Mikhail Gorbachev at Moscow on July 31, 1991. It was proposed by U.S President, Ronald Reagan and the treaty aimed to reduce both nations' nuclear arsenals by about 30%. The START-I came into force on December 5, 1994. According to treaty, the United States would end up with a 25% cut in their strategic warheads from around 12,000 to 9,000 and the Soviets with a 35% reduction from about 1,1000 to 7,000. It limits the strategic nuclear delivery vehicles (SNDVs) to 1,600 each. The SNDVs comprise deployed ICBMs and their launchers, deployed submarine – launched ballistic missiles (SLBMs) and their launchers and heavy bombers.²³

On January 3, 1993, U.S President, George H.W. Bush and Russian President, Boris Yeltsin signed a bilateral treaty – Strategic Arms Reduction Treaty popularly known as START-II at Moscow. The treaty was signed for reduction and limitation of strategic offensive arms banning the use of Multiple Independently Targetable Reentry Vehicles (MIRVs) on intercontinental ballistic missiles. Due to this, it is often mentioned as the De-MIRV-ing Agreement. The START-II was ratified by the U.S Senate on January 26, 1996 with a vote of 87-4. On April 14, 2000, Russia also ratified the treaty, however just after two years on June 14, 2002, Russia withdrew from the treaty in response to U.S withdrawal from the ABM treaty.²⁴

With regard to renewal of START, the United States and Russia began the process of renegotiating START on May 4, 2009. Both sides agreed to make further cuts in the number of warheads they have deployed to around 1,000 to 1,500 each. A joint understanding for a follow on agreement to START-I was signed by U.S President, Barack Obama and Russian President, Dimitri Medvedez in Moscow on July 6, 2009. This agreement will reduce the number of deployed warheads on each side to 1500 – 1675 on 500-1100 delivery systems. START-I would be expired in December, 2009, so a new treaty was to be signed

before its expiry. Further, reductions are to be achieved within seven years from the renewal of treaty. Finally, after several months of negotiation, the United States and Russia reached an agreement, Barack Obama and Medvedez signed the successor treaty, measures to further reduction and limitation of strategic offensive arms in Prague, Czech Republic on April 8, 2010.²⁵

Comprehensive Nuclear Test Ban Treaty (CTBT)

The Comprehensive Nuclear Test Ban Treaty, popularly known as CTBT was negotiated at the conference on Disarmament in Geneva between January 1994 and August 1996 and adopted by the United Nations General Assembly on September 10, 1996. It opened for signature on September 24, 1996, U.S President, Clinton was the first leader to sign the treaty. It is a multilateral treaty that bans all nuclear tests, for both civilian and military purposes, in all environments. In Article 1, each party to the CTBT undertakes not to carry out any nuclear weapon test explosion or any other nuclear explosion, anywhere and for all time. So, it bans all nuclear explosions including those conducted underground.²⁶

As of February 2019, 168 states have ratified the treaty and other 17 states have signed but not ratified it.²⁷ The three nations such as India, Pakistan and N.Korea did sign the treaty. In 1998, India and Pakistan conducted nuclear tests, even N.Korea withdrew from the NPT in 2003 and tested a nuclear device in 2006.²⁸ The reason why India did not sign the CTBT was said that the treaty like NPT is discriminatory. India said that it would join the treaty only when there was no discrimination in favour of that five nuclear weapon states in fulfilling the obligations for complete elimination of nuclear weapons.²⁹

Five of the 44 Annex-2 states have signed but not ratified the treaty, these nations are China, Egypt, Iran, Israel and United States. The U.S and China are the only remaining NPT nuclear weapon states which have not ratified the CTBT. Due to this, the treaty has not yet entered into force.³⁰ The preparatory commission for the CTBT organization (CTBTO) had been set up in 1996 with its headquarters in Vienna, Austria. It has been an interim organization tasked with building up the verification regime of CTBT in preparation for the treaty's entry into force as well as promoting the treaty's universality.³¹

Dilemma in Reality

There is no exaggeration to state that the enforcement of various arms control agreements has not come up to the expectations of many due to different factors. The success of agreements about arms control depends on the willingness and efforts of the signatories to abide by the terms to remain effective. The problem is that when a nation no longer desires to abide by the terms, they will abandon or violate the treaty. According to a 2020 American Political Science Review, arms control is rare because successful arms control agreements involve a difficult trade-off between transparency and security. For arms control agreements to be effective, there needs to be a way to thoroughly verify that a State is following the agreement, such as through intrusive inspections. However, the problem in this issue is that states are often reluctant to submit to such inspections when they have reasons to fear that the inspectors will use the

inspections to gather information about the capabilities of the state and which could be used in a future conflict.³² Another problem is the ratio, when a treaty is made the ratio of armament among the parties is sometimes a big problem. Some would claim bigger ratio than other parties then this would create a problem in successful concluding or enforcement of the treaty. So, it is possible to state that fear, distrust and insecurity are the big obstacles for the successful enforcement of arms control agreements among various nations and these make one party to distrust others.

From the other side, arms industry is a big profitable market in the present scenario particularly for the developed and affluent nations. According to the data released by the Stockholm International Peace Research Institute (SIPRI) on December 9, 2019, the total sales of arms and military services by the sector's largest 100 companies (excluding Chinese companies due to absence of a reliable data) was US Dollar 420 billion in 2018 which marked the increase of 4.6% compare with the previous year 2017. For the first time since 2002, the top five companies in the ranking are Lockheed Martin, Boeing, Northrop Grumman, Raytheon and General Dynamics. All of these are arms companies based in the United States and these five companies alone accounted for US Dollar 148 billion and 35% of total Top 100 arms sales in 2018. The total arms sale of US companies alone in the ranking was equal to 59% of all arms sales by the top 100 and which was amounted to US Dollar 246 billion.³³ So, it is apparent that arms industry is a big source of income for the developed nations and they will be reluctant to stop the growth of these companies.

Idealism vs Realism

Despite the prevalence of Marxist-Leninist theory especially after the Bolshevik revolution in Russia, the dominant theory between the two world wars in the western world was political idealism. The main advocates of idealist theory were Condorcet, Woodrow Wilson, Butterfield and Bertrand Russell. The idealist theory assumes that state and society are the outcome of evolution. This process of evolution is leading us towards the perfection from imperfection. At this stage, peace and justice can be established in the society. According to this theory, war, violence and immorality can be controlled through the establishment of a family of nations.³⁴

The idealist theory assumes that human nature is essentially good and capable of altruism, mutual aid and collaboration. Bad human behaviour is the product not of evil people but of evil institutions and structural arrangements. So, according to this theory, institutional reform is very important. Idealism is regarded as the major source of inspiration behind the American and French revolutions and it emerged in the eighteenth century. The idealist theory believes that reformed international system free from power politics, immorality and violence can be established in the future. A better world can be created with the help of morality, education and international organisation. In order to make a better and reformed international system, the idealists suggested that moral principles followed by moral nations, creating supranational institutions to replace the competitive and war prone system of territorial states, elimination of weapons and legal control of war. The suggestions and remedies offered by idealists for making a better

world are appreciated by many thinkers even it influenced many statesmen after the First World War because the devastating First World War stimulated the quest for knowledge to address contemporary world problems in general and war in particular.³⁵ But, critics questioned the validity of the theory in real world as several attempts have been made to reduce the armament race without fully success.

The Realist theory was revived after the Second world war, it has been one of the most dominant school of thought in the post world war-II international relations and it continues to have relevance in the present day international system. The seeds of realism could be traced to the writing of political philosophers like Thucydides, an ancient Greek historian, Chanakya's Arthashastra, Machiavelli's II Principe (the prince), Thomas Hobbes' Leviathan, Otto von Bismarck, a Prussian statesman who coined the term Balance of Power.³⁶ Unlike the idealist theory, the realist theory assumes that rivalry, strife and struggle for power continue among nations in some forms or the other and this cannot be controlled by international law or government. Statesmen think and act only in terms of national interest. So, the main job of diplomats and statesmen is to check the contest for power and the means to be adopted for it is new balance of power. The human nature according to realism is by nature sinful and wicked, lust for power, desire to dominate his fellowmen etc. Under such conditions, international politics is struggle for power, a war of all against all.³⁷ If we analyse the super power rivalry between the United States and USSR and their expansionist policy at global level that divided the world into two i.e. the east and the west during cold war, the political realism seems very relevant in real competitive world.

We have seen the six principles of Morgenthau's realism in his famous book, Politics Among Nations and this theory assumes that national interests are the motivating force of a state's activity in the sphere of international politics. The state meets these interests with the help of power and every nation wants to acquire more and more power. Realism, unlike idealism, assumes that universal moral principles cannot be applied to the actions of states. The realist theory assumes that national security and survival are the primary national interest of each state.³⁸ So, according to realist theory, each nation could not surrender its national interest to others.

Conclusively, if we carefully analyse various treaties relating to disarmament and arms control mentioned above, the most difficult part for successful enforcement of the treaties seems to surrender their national interest. The idealist theory believes that good institutions can control war and armament race for making a better world. But, if we examine the real world, only the five permanent members of United Nations Security Council (UNSC) cannot take unanimous decision in various important international issues. Sometimes, the aggressors cannot be condemned as UNSC for world peace as the permanent members take different stands based on their national interests. Since the end of the First world war, many thinkers and statesmen support to create a reformed international system by eliminating dangerous weapons and limiting armament race among various nations. The world witnessed several attempts to limit the arms race and eliminate nuclear weapons. However, no unanimous steps can be taken effectively to change the competitive international relations. It seems that many nations particularly big and powerful nations want

peace and support disarmament and arms control without surrendering their national interest and security. Ultimately, the realist theory seems to be valid in the present international scenario. So, wholly successful and agreed treaty about disarmament and arms control may be difficult to enforce in reality in the present world.

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