CHAPTER 4
Assessing Supply-Side Arms Control

Campaigns to rein in major weapon systems date back a very long time, at least to Pope Innocent II’s effort to ban the crossbow in 1139. Most such efforts have been only partly or temporarily successful. (Innocent’s own campaign failed to take hold, and the crossbow was widely used until rendered obsolete by a deadlier weapon, the English longbow.) Governments are instinctively averse to abandoning militarily useful weapons and to waiving their rights to acquire them. Unless done unilaterally, with no expectation of reciprocity from others, arms restraint requires a great deal of international cooperation and inevitably some degree of trust and risk, three things to which countries that function in a formal state of anarchy are at least semi-averse. Still, the twentieth century—perhaps because it was one of the bloodiest on record—witnessed a greater number of arms control and disarmament plans, programs, and agreements than any century previous.

The capsule history of these efforts presented in the next section categorizes them by major objective—controlling dangerous weapons, controlling dangerous governments, or altering dangerous configurations of forces—and sets the stage for analysis of five decades of intermittent efforts to implement supply-side controls on conventional arms transfers and recipient governments. Since proposals to alter configurations of military capabilities via arms transfer restraints have been directed historically at specific recipient states or security complexes, the chapter considers these two objectives together under the heading of “recipient-based” restraint.

The analysis leads to the conclusion that whatever the motivations behind supply-side restraint (self-interested or other-directed) and whatever the emphasis (weapons or recipients), pure supply-side mechanisms to control the proliferation of major conventional weapons are of very limited utility—not useless, but limited. The sources of limitation include the natural competitiveness of national arms suppliers and their incentives to defect from restraint regimes in the search for market share. But most of the difficulty stems from a basic difference between supply-side arms transfer restraint and other forms of arms control: supply-side accords attempt to extend the writ of restraint outside the circle of states that has crafted and agreed to it, applying rules to governments that have not been consulted about them and that would likely object if they were consulted. They would object in part because supply-side restraint measures lack reciprocity, the mutual adjustment that makes international agreements fair bargains. Perceptions of unfairness gnaw at any supply-side restraint regime not devised...
in cooperation with the countries to which it is supposed to apply. This does not mean that such restraint regimes are never warranted. It does mean that any state, group of states, or international organization that imposes them must be prepared to enforce them vigorously for the duration of the regime.

**A Capsule History of Arms Control**

Arms control regimes and agreements focused on dangerous weapons include one group of treaties limiting WMD per se, and another series limiting antipersonnel weapons deemed especially cruel and inhumane in their effects. The impetus to constrain WMD derives in part from the nature of the weapons, biological and chemical weapons in particular, which are designed to cause mass casualties—targeted, as it were, against life itself. The Geneva Protocol of 1925, crafted eight years after the carnage of World War I, banned the use of lethal chemical arms, while the 1995 Chemical Weapons Convention (CWC) banned all possession of such weapons, with strict international inspection protocols to enforce the ban. Biological and toxin weapons were banned by treaty in 1972 but without measures to verify or enforce compliance.²

Nuclear weapons have been subject to testing and proliferation constraints. Most explosive testing was confined underground by the 1963 Limited Test Ban Treaty (China and France did not abandon atmospheric testing until years later). Proliferation controls were established in 1970 with the entry into force of the Nuclear Non-Proliferation Treaty (NPT), augmented later by a number of regional “nuclear-weapon-free zones.”

The NPT is often criticized as “unfair” by developing, non-nuclear-weapon states for its division of the world into nuclear haves and have-nots. The treaty offers partial reciprocity: in return for giving up the option to acquire nuclear weapons, non-nuclear-weapon states were to be given access to other nuclear technologies, while Article VI of the agreement committed nuclear weapon states to eventual “nuclear disarmament.” Twenty-five years and several thousand more nuclear weapons later, when the treaty came up for review, the have-nots decided that the original bargain was not good enough and extracted a pledge from the haves to negotiate a comprehensive ban on nuclear explosive tests as a step toward fulfilling Article VI.³ A Comprehensive Nuclear Test Ban Treaty was endorsed by the UN General Assembly and opened for signature in September 1996.

Nuclear weapons have not as yet been subject to the sort of use prohibitions that apply to both chemical and biological weapons, although a de facto norm of non-use seems to have evolved since the last nuclear weapon was detonated in anger, in 1945. Moreover, it was the rapid accumulation of nuclear arms during the Cold War that gave arms control in general a new lease on life.

Limits on inhumane weapons have banned expanding bullets and poisoned weapons (Hague Convention of 1907); the use of weapons that produce fragments undetectable by X-rays, such as plastic land mines, the use of incendiaries against civilians, and the use of blinding laser weapons (United Nations [UN] conventional weapons treaty of 1980 and its 1995 protocol); and possession or use of antipersonnel land mines (Ottawa Convention of 1997). None of these accords includes measures to verify compliance, nor do they specify sanctions for non-compliance, relying instead on mutual interest and mutual revulsion to foster compliance.⁴ As to effect: expanding bullets may remain a rarity on the battlefield, but rough substitutes—tum-