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SDI and the ABM Treaty

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Following is a commencement address by Paul H. Nitze, Special Adviser to the President and Secretary of State on Arms Control Matters, before the Johns Hopkins School of Advanced International Studies (SAIS), Washington, D.C., May 30, 1985.

Since the end of the Second World War, the focus of American as well as world opinion has tended at any given time to fix on one particular foreign policy issue over all others. In the late 1940s, the issue was Berlin and access to that divided city; in the early 1950s, Korea; in the early years of the 1960s, Cuba; and in the latter half of the 1960s and early 1970s, the issue was, of course, Vietnam.

Today's focal issue is arms control and, in particular, the President's Strategic Defense Initiative (SDI). It is the focus of attention both here and abroad. It is, therefore, appropriate that today I discuss the SDI program and especially its relationship to the 1972 Anti-Ballistic Missile Treaty.

The ABM Treaty

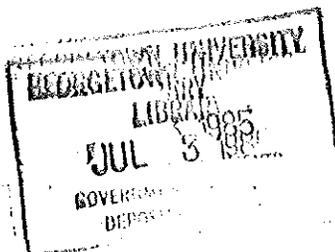
The Anti-Ballistic Missile—or ABM—Treaty resulted from 3 years of difficult negotiation with the Soviet Union during SALT I [strategic arms limitation talks]. One of the principal factors leading to that accord was a conclusion reached in the United States in the late 1960s as a result of an important debate over the merits and feasibility of strategic defense. We concluded that the then-existing technology did not offer the

prospect of ballistic missile defenses that could not be overcome—at significantly less cost—by additional offense on the other side.

As a result, we were concerned that deployment of relatively ineffective ABM systems on either side could prompt a proliferation of offensive nuclear forces—an action-reaction cycle that would result in higher levels of offensive arms. Conversely, we felt that agreed limits on ABM systems might make possible reductions in and comprehensive constraints on offensive missile forces. We, thus, were ready to negotiate stringent limits on ABM systems as a step to facilitate comparable constraints on offensive systems.

The ABM Treaty embodies such limits on anti-ballistic missile systems. It bans a territorial ABM defense and permits the development, testing, and deployment of fixed, ground-based ABM radars, ABM interceptor missiles, and ABM interceptor missile launchers only under very tight constraints. For example, the treaty as amended by its 1974 protocol allows each side one deployment area and the right to deploy no more than 100 fixed interceptor launchers with associated missiles and radars. The development, testing, or deployment of sea-based, air-based, space-based, or mobile land-based ABM systems or of components for such systems are prohibited.

On the whole, I regard the ABM Treaty as a useful and equitable accord. Unfortunately, its value has been eroded over the last 13 years.



A number of Soviet actions since 1972 have been inconsistent with or in outright violation of the provisions of the treaty. I have in mind, among other issues, the construction of a large phased-array ballistic missile tracking radar near Krasnoyarsk in central Siberia, contrary to the treaty's provisions concerning the permitted location and orientation of such radars.

At the same time, we have been unable to achieve the reductions and limitations with regard to offensive nuclear arms that were envisaged—indeed, on which the ABM Treaty was premised—when the treaty was signed in 1972. As a result, strategic offensive nuclear forces are substantially greater today than they were then.

The Strategic Defense Initiative

Several factors have led to a reappraisal of our attitude toward strategic defense in the United States. The first is the failure of SALT to promote and maintain an equitable and stable balance in offensive nuclear arms. The Soviets have persistently moved ahead in the crucial indices of strategic power.

Since 1972, while generally remaining within the numerical limits on launchers provided by the expired Interim Agreement on offensive arms and the unratified SALT II Treaty, the Soviets have increased the number of warheads on their strategic ballistic missiles by a factor of four. Moreover, they have increased the capability of their missile force to attack hardened military targets by more than tenfold. This poses a serious and destabilizing threat to our retaliatory forces.

The second factor is President Reagan's strong belief that, while deterrence based on the threat of offensive nuclear retaliation must form the basis of our security policy for the foreseeable future, we should not be content to confine ourselves to that in perpetuity. He asked whether it might not be possible to find a way to a brighter goal for the future—one in which deterrence would be based more on the ability to defend rather than to retaliate with predictable and tragic devastation.

The third factor is primarily technological. Great strides have been made in many areas relevant to ballistic missile defense, including advances in sensors, microelectronics, and data processing.

As I noted earlier, we had concluded in the late 1960s that ABM systems could be beaten—at less cost—by additional offense. The sum of the technological advances over the last 15 years is to open a possibility that future

strategic defenses can be developed which are not only effective but which are less costly than offsetting increases in offensive capabilities and which, therefore, could justify a reversal of our earlier conclusion.

These three factors led to the President's decision in early 1983 to launch the Strategic Defense Initiative. SDI is a research program designed to investigate the feasibility of new defense technologies, both earth-based and space-based. It will provide the information and data base necessary for a future Administration to make an informed decision, sometime in the next decade, about whether or not to shift our deterrent posture toward an offense-defense mix placing greater reliance on the latter than at present.

Should SDI prove new defense technologies feasible—that is, survivable and cost-effective—we believe the interests of both the United States and the Soviet Union would be served by moving to a more defense-reliant balance. Survivable and cost-effective strategic defenses could so complicate a potential attacker's planning for a possible first strike that such an attack could not be seriously contemplated.

Looking to the distant future, strategic defenses might provide the means by which we and the Soviets could consider extremely radical reduction—and perhaps the eventual elimination—of nuclear arms.

SDI in the Context of the ABM Treaty

Let me now address the interface between SDI and the ABM Treaty. A conclusion that the Strategic Defense Initiative is *a priori* inconsistent with the ABM Treaty does not reflect the intent and negotiating history of that accord. Having negotiated critical elements of that agreement during SALT I, I feel as qualified as most to comment on this question.

In the first place, as I have said, SDI is a research program. The ABM Treaty contains constraints governing the development, testing, and deployment of ABM systems, but research is not constrained in any way.

The lack of constraints on research resulted from two factors. First, both the United States and the Soviet Union recognized that it would be impossible to devise effective or verifiable limits or bans on research. In fact, it was the Soviet side which during SALT I insisted that research could not be limited. Last January in Geneva, and again

earlier this month in Vienna, Soviet Foreign Minister Gromyko acknowledged the difficulty of limiting research.

Additionally, in the negotiations leading to the ABM Treaty, it was clear that neither side considered it desirable to limit research. For all their complaining about SDI, the Soviets for years have had no similar reservations about the dedication of great effort and resources of their own to research into new defense technologies, including high-energy laser and particle-beam weapons.

Moreover, the ABM Treaty was not meant to be locked in concrete. When we and the Soviets were crafting the agreement, we envisaged a living accord—that is, one that would make allowance for and adapt to future circumstances. This was particularly so, given that the treaty was to be of unlimited duration.

Provisions were developed and incorporated into the treaty that allow for its modification. This was in part due to the fact that the sides, even in 1972, foresaw the possibility of changes in the strategic situation—including the possibility of new defense technologies in the future. Let me elaborate on some of the relevant provisions.

Article XIV gives each party the right to propose amendments to the treaty. Moreover, that same article provides for regular joint reviews of the agreement at 5-year intervals.

Article XIII established the Standing Consultative Commission and gave it a broad mandate to discuss issues related to the treaty. To the public, the primary purpose of that body is discussion and resolution of issues concerning compliance with the obligations assumed by each side in accordance with the treaty. But article XIII also includes two subparagraphs relevant to the question of change in the treaty.

- One provides that the Standing Consultative Commission will consider and negotiate the amendments to the treaty that either side may propose under article XIV.

- The second provides that the commission will consider "possible changes in the strategic situation which have a bearing on the provisions of this Treaty." The phrase "possible changes in the strategic situation" is deliberately broad and vague. It permits either party to raise issues related to the U.S.-Soviet strategic relationship that bear on the ABM Treaty. Certainly included among these issues are changes in defense technologies that might reverse some of the basic technological assumptions on which the treaty and the offense-defense relationship were based.

That the possibility of new technologies was foreseen is clear from the language of the treaty. That future types of permitted ABM systems and components were contemplated is obvious from the language of article II, which defines ABM systems as "currently consisting of" ABM interceptor missiles, launchers, and radars.

The fact that the possibility of future systems was foreseen in 1972 is also clear from the language of agreed statement D, which acknowledges the possibility that new ABM systems based "on other physical principles" might be created in the future and provides for consultations with a view to possible amendment of the treaty constraints on such systems prior to their deployment.

In sum, the ABM Treaty allows each party to engage freely in research. The treaty's drafters also anticipated that certain types of new ABM systems might be created. And the treaty makes provision for possible changes and provides the mechanism by which such changes would be negotiated and agreed. The treaty was intended to be adaptable to new circumstances, not to lock the United States and Soviet Union into a strategic relationship that might be less stable and less desirable than other possibilities that might emerge in the future.

From this viewpoint, the research program being carried out by the Soviets is not inconsistent with the treaty, nor is the Strategic Defense Initiative. The treaty allows for such programs and for possible amendment if either side's research should indicate that defenses could usefully be incorporated into the strategic balance.

U.S. Intentions Regarding SDI

Should new defense technologies prove feasible—something we will not know for some years—it is the intention of the United States to proceed in accordance with the procedures agreed in the ABM Treaty. President Reagan has made clear that we intend to comply fully with that agreement and that any future decision regarding the deployment of defenses against ballistic missiles not permitted by the ABM Treaty would be a matter for consultation and, where appropriate, negotiation with the Soviet Union under the terms of the treaty.

This does not imply a Soviet veto over our defense programs; rather, our commitment to negotiation reflects a recognition that, should new defenses be feasible and offer the potential of making a contribution to stability, we and the Soviets should move forward jointly in an agreed manner.

To lay the foundation for such an approach, we have offered, even now, to discuss with the Soviets in Geneva the implications of new defense technologies for strategic stability and arms control. We made this offer in the first round of the Geneva negotiations on nuclear and space arms; we will be pursuing it in the second round, which began today.

We urge the Soviets to cease bluntly rejecting this offer and, instead, to take us up on it. Were they to do so, it would provide the opportunity to hold the first detailed exchange on the offense-defense relationship since 1972. That should be most useful to both sides.

In sum, we have set ourselves a goal with the SDI research program—to determine the feasibility of possible new defenses. But we intend to pursue that goal within the treaty regime agreed to by the United States and the Soviet Union in 1972. And toward that end, we are ready to talk with the Soviets now

about the program, its aims, and its implications.

Conclusion

In closing, let me return to a grand generality appropriate for this occasion. As you leave SAIS, you will be moving on to new goals and new aims. I might offer a thought and an illustration about objectives. The mere formulation of a goal can have immense and constructive consequences.

In 1947, Secretary of State George Marshall, in three paragraphs of a Harvard commencement address, set forth the concept for what became known as the Marshall Plan for the economic recovery of Europe. At the time, however, no such plan existed.

The press gave the speech little coverage, but the Secretary had set a goal, and someone had to see about fulfilling it. A few of us at the State Department were asked to develop a concrete and workable plan from his concept. We did so. As it turned out, the Marshall Plan proved to be a tremendous success story in the reconstruction of postwar Europe.

So, as you move into the outside world, I encourage you to set lofty goals, even if you do not have a precise idea as to how to achieve them. You may well surprise yourselves by what you, in fact, manage to accomplish. Again, congratulations and all best wishes. ■

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