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Arms Control without Treaties?
Rethinking U.S.-Russian Strategic Negotiations
in Light of the Duma-Senate Slowdown
in Treaty Approval

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Preface

This report on non-binding, non-treaty approaches to arms control draws upon research and discussion at the Center for International Security and Arms Control during 1990 and 1991, after the Cold War had ended but before the disintegration of the Soviet Union. It was apparent at the time that the traditional approach to arms control—through detailed treaties resulting from long negotiations—might not be adequate to deal with the new situation in which arms reductions could be made quickly but coordination would still be needed in order to preserve stability. We examined the possibility of using reciprocal unilateral measures (RUMs) in place of treaties as a mechanism for achieving arms control.¹

A striking example of the approach we were recommending was when Presidents Bush and Gorbachev announced major withdrawals of non-strategic nuclear weapons in September and October 1991 (We describe the Bush-Gorbachev RUMs in this paper.) The strategic picture changed dramatically soon after those measures were announced. The Soviet Union was replaced by the Russian Federation and 14 other newly independent states. For several years, the treaty method worked well in U.S.-Russian arms control, alongside other forms of cooperation such as the Nunn-Lugar program. We put aside our work on RUMs.

Although we are far from a resumption of the Cold War, U.S.-Russian relations are no longer as cooperative as they were in the early 1990s. Besides, the treaty method has slowed almost to a standstill. We have therefore returned to the draft final report of 1991 and drawn from it the history we thought is relevant to the current problem of reducing the strategic nuclear threat Russia and the United States pose to each other—and to the rest of the world.

Besides ourselves, the scholars who contributed to the 1990–91 research and/or discussion were: Mikhail Gerashev, Alexander George, James Goldgeier, James Goodby, John Harvey, John Lewis, Valery Mazina, James Miller, William Perry, Scott Sagan, Paul Stockton, Mikhail Vinogradov, Kimberly Zisk, and Vladislav Zubok.

¹A summary of workshop discussions (not including the papers completed later or the 1991 draft final report) appears in *Reciprocal Unilateral Measures: Workshop Report* (Stanford: Center for International Security and Arms Control, 1990).

Introduction

Parliamentary approval of arms control treaties in Russia and the United States now moves at a very slow pace when it moves at all. Completed treaties now pending in the American Senate and the Russian Duma (or soon to be pending) are unlikely to be approved by both legislatures before the next century. Among these treaties are the second START (Strategic Arms Reduction Talks) Treaty, the Comprehensive Test Ban Treaty (CTBT), two nuclear-weapon-free zone treaties, the Open Skies Treaty, and amendments to the ABM (Anti-Ballistic Missile) Treaty.² Of these, START II and the Open Skies Treaty have been approved by the Senate but not the Duma, as of this writing. The others lack approval by either body.

In each case, legislative consent is necessary for the treaty to go into full effect. The constitutions of both Russia and the United States require that the legislatures give consent to arms control treaties before they enter into force. In Russia, approval is by a majority vote of the Duma, reviewable by a companion body, the Council of the Federation.³ In the United States, approval is by a two-thirds vote of the Senate alone.⁴

In both Russia and the United States legislative approval of arms control treaties is extraordinarily difficult to obtain at present. A majority of the legislators in each country belong to parties that do not generally support the president. Many legislators in each country are unwilling to follow the lead of their president in arms control, are somewhat inexperienced themselves in international relations, are nationalistic and suspicious in their attitudes toward agreements with the other country that affect their nation's security, and are, besides, preoccupied with domestic politics and problems. By the end of 1997, the Senate had approved more treaties than the Duma, but it had attached conditions to its approval, some of

² For a list of the pending treaties and a description of the problems, see G.Bunn and J.B.Rhineland, "The Duma-Senate Logjam on Arms Control: What Can Be Done?" *Nonproliferation Review* 4:3 (Fall, 1997), p.72.

³ Russian Federation Constitution, Art.104; see also 1995 Russian Federal Law on International Treaties, Arts. 11 and 12; 1996 Russian Federal Law on Defense, Art.4 par.2(17).

⁴ U.S. Constitution, Art. II, Sec.2; see also U.S. Arms Control and Disarmament Act of 1961, Sec.33, 22 U.S.C. Sec. 2573 (1994).

which may make Duma approval more difficult or stimulate Duma conditions in response.⁵

The result is a slowdown in reducing the threat that each country's nuclear weapons pose to the other, at a time when improved relations between the two countries suggest that major reductions in this threat should be possible. To quote from a recent report by the National Academy of Sciences Committee on International Security and Arms Control:

The reduced forces [even after START reductions] could still inflict catastrophic damage on societies they target or could target, and the thousands of non-deployed and nonstrategic nuclear warheads not addressed by the START process and likely to be retained without further agreements will pose substantial risks of breakout, theft or unauthorized use. In addition, the United States and its NATO allies retain their Cold War "weapons of last resort" doctrine that allows the first use of nuclear weapons if deemed necessary to cope with nonnuclear attacks, and Russia has announced that it is abandoning the Soviet Union's no-first-use pledge in order to adopt a position similar to NATO's...[B]oth sides apparently [continue] to emphasize early and large counterforce strikes and both [remain] capable, despite reductions in numbers and alert levels, of rapidly bringing their nuclear forces to full readiness for use. As a result, the dangers of initiation of nuclear war by error (e.g., based on false warning of attack) or by accident (e.g., by a technical failure) remain unacceptably high.⁶

In both countries, the public and the legislatures have been preoccupied with other matters than arms control, which no longer arouses the intense interest it did in the 1980s, now that the Cold War is over and the danger of nuclear war has receded with the improvement of U.S.-Russian relations. Yet, as the National Academy Committee suggests, there are good reasons for rejecting the view that arms control is no longer relevant to international security.⁷

We believe that, despite the slowdown in the Duma and the Senate, the improved relations that have developed between the executive branches of the two countries since the end of the Cold War could be used to produce stronger limits on the use of nuclear weapons and further reductions in their numbers. Even if the START II Treaty is not approved by the Duma, Russia, for budgetary and programmatic reasons, will want to reduce its strategic missiles below START I levels. In doing this, however, it may decide not to structure its forces on the pattern required by START II. The United States, for similar reasons, will probably want to cut its missile levels. Both Russia and the United States will hear from other countries that they must meet the promises they made in the Non-Proliferation Treaty to negotiate in good faith toward nuclear disarmament.⁸ There are good reasons for both countries to reduce their strategic weapons; the question is how this is to be done in a stable and coordinated manner.

⁵ A description of the impact of NATO enlargement and of some of the conditions the Senate has attached to its consent appears in Bunn and Rhineland, "The Duma-Senate Logjam," pp.73-75.

⁶ National Academy of Sciences, Committee on International Security and Arms Control, *The Future of U.S. Nuclear Weapons Policy* (Washington: NAS Press, 1997), p.2. For a survey of varying views on what the future of U.S. weapons should be, see the "Special Issue: Nuclear Arms Control" of *Washington Quarterly* 20:3 (Summer 1997), pp.77-210.

⁷ See also Michael J. Mazarr, "Introduction" and brief summary in a special issue on current nuclear arms control debates and perspectives, *Washington Quarterly* 20:3 (Summer 1997), p.77-83.

⁸ Non-Proliferation Treaty, Art.VI.

The two countries have been using non-treaty measures, such as RUMs and informal written and executive agreements, to reduce non-strategic weapons.⁹ Apart from negotiations on the protection, dismantlement, and disposal of strategic warheads that are no longer deployed as a result of START I, the two countries are not using non-treaty measures to deal with presently deployed strategic weapons, since these have been largely governed by the START treaties. But START II remains stalled in the Duma though it was submitted to that body in June 1995. Even if it is eventually approved there, it must go back to the Senate as part of a Duma-approved package which will include amendments to the ABM Treaty that are unlikely to be approved by the Senate.¹⁰ If the Senate does not approve the amendments, neither the amendments nor START II will go into force.

If this impasse is reached, can Russia and the United States continue the progress already made on reducing the strategic threat the two countries pose to each other and to the rest of the world? The answer is that real progress could be made if executive branch officials of the two sides exchanged information on how they planned to cut their strategic nuclear weapons. If each side could verify to some degree what the other was doing it could take that into account and try to stimulate further progress by taking additional steps itself. Progress made in this way might one day be codified in a treaty.

Arms control remains an essential business in today's world, and ways must be found for it to continue despite the difficulties in the legislatures. The authors have written this report to explore the possibility of achieving arms control through informal arrangements rather than through treaties, pending the day when the Duma and the Senate become more supportive of treaties—at which point treaties codifying the informal arrangements can be negotiated.

Students of U.S.-Soviet relations in the Cold War distinguished between a bargaining strategy, which they described as "an effort to achieve through negotiation an explicit, specific exchange that is usually carried out by the two parties simultaneously," and a strategy of reciprocity, which they described as "a unilateral initiative taken by one side in the hope that it will encourage the other side to take a conciliatory action in return."¹¹ Bargaining strategy is of course what produces formal agreements such as treaties. Reciprocity strategy—what this report is mostly about—has often produced less formal arrangements for cooperation.

In the past, there has been extensive use of strategies of reciprocity to achieve arms control, usually without much legislative participation except in the budget process, as we shall see. Nothing in this practice of reciprocity suggests that it necessarily precludes bargaining. Indeed, in most cases where cooperation resulted, there were discussions between the two sides before either took a unilateral action that it hoped would be reciprocated. Moreover, nothing in a strategy of reciprocity precludes the later negotiation of

⁹ A summary of the Bush-Gorbachev RUMs dealing with non-strategic weapons appears later in this report. Many Gore-Chernomyrdin, energy-minister-to-energy-minister, defense-minister-to-defense-minister, science-adviser-to-science-adviser, and laboratory-to-laboratory agreements have been utilized to deal with parts of the problem of protecting and disposing of plutonium and highly enriched uranium from the dismantling of non-strategic weapons as well as the lesser number of strategic weapons being dismantled pursuant to START I. See Bunn and Rhinelander, "The Duma-Senate Logjam," pp.79-80.

¹⁰ See Bunn and Rhinelander, "The Duma-Senate Logjam," pp. 73-74, 85-86.

¹¹ Alexander L. George "Strategies for Facilitating Cooperation," in George, Phillip J. Farley and Alexander Dallin, (eds.), *U.S.-Soviet Security Cooperation: Achievements, Failures, Lessons* (New York: Oxford University Press, 1988), p. 693. George gives credit to Deborah Larson for this distinction.

a treaty covering the same or much of the same ground. Indeed, as shown below, strategies of reciprocity have sometimes contributed to a later treaty negotiation on the same subject.

In the next section we will discuss the theory and practice of reciprocal unilateral measures (RUMs) in U.S.-Soviet and U.S.-Russian arms control. In the Conclusion we will list some of the current U.S.-Russian strategic issues and suggest a role for informal non-treaty measures in dealing with them—until the legislative slowdown ends.

The Theory and Practice of RUMS

The Theory of Reciprocity

RUMs have been pursued at different times during and after the Cold War. Here we assess their role and their relationship to arms control treaties. Did RUMs help to reduce military rivalry between the Soviet Union and the United States? What factors contributed to their success or failure? What were their strengths and weaknesses?

RUMs are a form of arms control without written agreement—though they may be followed and codified by written agreement. They are actions (not just words) that one of two rivals takes, without written obligation to the other, in order to (1) reduce tensions and start cooperative bargaining with the other; (2) elicit reciprocity from the other, and/or (3) reduce its military effort without reducing its own security, but without any informed expectation of specific reciprocity.¹² An example of a RUM would be an American or Russian announcement that 200 warheads are, until further notice, being taken off strategic missiles that will eventually be dismantled when the START II treaty is ratified. This announcement might (or might not) suggest reciprocal action and be accompanied by removal and storage of the warheads in a manner that would assure the other side that the removal had in fact taken place.

By contrast, an arms control treaty is formally negotiated, legally binding, spells out the reciprocal actions, and usually includes verification provisions.¹³ Informal written agreements (sometimes called declarations, joint statements, or accords) fall in between. These may take the form of a U.S.-Russian communiqué following a summit meeting; the detailed 1986 Stockholm Accord limiting military maneuvers and the 1997 NATO-Russian "Founding Act" are other examples. They are negotiated and in writing, but are not legally binding and they often read more like a joint report than a formal contract.¹⁴ As we will see, RUMs have sometimes been followed by both formal and informal written agreements. Table 1 describes the differences.

¹² This definition is largely derived from a definition by experts from several governments appointed for this purpose by the UN Secretary General. In their view, "perhaps the single most important element" of a "unilateral disarmament measure" is that "it is not a formally negotiated course of action." Report to the Secretary General, Unilateral Disarmament Measures, UN General Assembly A/39/516 (1985), p.6. (We take "formally negotiated" to mean thorough formal diplomatic negotiations to produce a treaty or similar binding international agreement. As will appear below, some bargaining has preceded most RUMs that were reciprocated.) Compare George W. Downs and David M. Rocke, *Tacit Bargaining, Arms Races and Arms Control* (Ann Arbor: U. of Michigan Press, 1990), p.3.

¹³ In addition, a formal executive agreement may have such provisions and be legally binding. But it is typically much more limited in scope than a treaty because it must be within the sole authority of the chief executive and need not be ratified. American Law Institute, *Restatement of the Law Third, The Foreign Relations Law of the United States* (St.Paul, MN: ALI, 1987), sec. 303 and comment g and i. Nunn-Lugar legislation authorized assistance to Russia to help bring warheads home to Russia from Belarus, Kazakistan, and Ukraine, and to provide for their dismantlement and secure storage. Most of the U.S.-Russian agreements providing for this assistance have been of the "executive" variety, though the withdrawals to Russia and the United States were accomplished by RUMs. See Bunn and Rhineland, "The Duma-Senate Logjam," pp. 79-80.

¹⁴ See Bunn and Rhineland, "The Duma-Senate Logjam," pp.77-79.

Table 1
Forms for U.S.-Russian Arms Control

	1. Formal agreement (e.g., treaty)	2. Informal agreement (e.g., declaration)	3. RUM
Record of understanding, if any?	Written, detailed, bilateral	Same as column 1	Private communication and unilateral record, or unilateral public announcement and media account of action, or ?
Nature of obligation, if any?	Legal obligation	Political obligation	Expectation? Understanding?
Nature of reciprocity	Specified in agreement	Same as column 1	Specified, in kind, or equivalent depending on communication

Theorists have outlined several strategies of reciprocity that might produce RUMs without formal negotiation. The first of these is GRIT (Graduated Reciprocation in Tension-reduction), which is derived from cognitive psychology. One rival announces, and then takes, a series of unilateral steps of increasing accommodation with the aim of reducing the other side's distrust, i.e., erasing the image that the other side has of the initiator as an enemy. The initiator's announcement should invite reciprocal steps by the rival without specifying what they should be, or requiring that they be of the same kind or even of equivalent value, at least for the time being.¹⁵ A first GRIT step, using the example described earlier, would be to announce: "We have removed 50 warheads from strategic missiles to be dismantled eventually pursuant to the START II Treaty after it is ratified. We plan to remove more later. We will not shield these removals from the view of overhead reconnaissance satellites. We invite you [the rival] to take similar steps."

A second strategy, tit-for-tat, is derived from game theory. It, too, is initiated with a unilateral step, but no explicit invitation is made to reciprocate; it is continued by the initiator with another cooperative step if the rival does reciprocate. A tit-for-tat step might be to remove the 50 warheads from strategic missiles destined to be eliminated if START II is ratified, announcing the action to the press in a way that should get the attention of the rival: "We have today removed 50 strategic warheads from missiles which will eventually be dismantled when START II is ratified." No suggestion of further removals or request for reciprocal action would be made, though the removal would not be shielded from satellite photography. Later, more warheads would be removed only if the other side had taken

¹⁵ See Charles Osgood, "Suggestions for Winning the Real War with Communism," *Journal of Conflict Resolution* 3:4 (December 1959), p.295-325; Osgood, "Reciprocal Initiative," in *The Liberal Papers*, ed. James Roosevelt (Garden City, NY: Doubleday & Co. 1962), 155-228; Osgood, *An Alternative to War or Surrender* (Urbana: University of IL Press, 1962); Osgood, "The GRIT Strategy," *Bulletin of Atomic Scientists* 36:5 (May 1980), p.58-60. A somewhat similar strategy was suggested and compared with 1963 experience by Amatai Etzioni, "The Kennedy Experiment," 20:2 *Western Political Quarterly* (June 1967), pp.361-80.

equivalent action.¹⁶

In tit-for-tat it is assumed that rivals learn quickly that cooperation will be rewarded and hostility punished. If both play tit-for-tat, that is what happens and an implicit invitation to reciprocate becomes embedded in the unilateral steps. Tit-for-tat also differs from GRIT in that the initiator takes only one step and then waits for the rival's response. In GRIT, which focuses on tension reduction, the initiator takes several steps even if the rival does not respond at first. One similarity is that they may both result in a sequence of cooperative actions once cooperation begins. And in either strategy, if one rival takes a clearly hostile action, the other may respond in kind, though tit-for-tat should produce quicker retaliation than GRIT.

A third strategy, conditional reciprocity, is more than a strategy of simple reciprocity because it involves some bargaining. Offers of conditional reciprocity are different from GRIT and tit-for-tat in that the initiator's first action is contingent upon the adversary's reciprocating action in a manner specified by the initiator. For example: "We will take 100 warheads off strategic missiles that are to be dismantled after START II is ratified, if you will do the same or its equivalent with 100 of your START II warheads." Proposals for transparency could also be made.

GRIT and tit-for-tat let the responder choose how to respond. In conditional reciprocity, however, the initiator chooses, by specifying what it is that the rival should do to reciprocate.¹⁷ Table 2 describes some of the differences and similarities in the three strategies.

Table 2
Differences Between Strategies for Unilateral Initiatives

Rules for initiator of strategy	GRIT	Tit for tat	Conditional reciprocity
Start with unilateral measure?	Yes	Yes	Yes
Announce measure and intention?	Yes	No	Yes
Take more measures without awaiting response to first?	Yes	No	No
Take measures in several fields and geographical areas?	Yes	Not necessary	Not necessary
Invite, don't require, reciprocity?	Yes	Yes (implicit)	Require it
Reciprocity specified by initiator?	Not necessary	Not necessary	Yes

¹⁶ Robert Axelrod, *The Evolution of Cooperation* (New York: Basic Books, 1984). For useful evaluation of GRIT and tit-for-tat as strategies for eliciting cooperation between nuclear-weapon powers, as well as a summary of the important literature concerning these strategies, see Joshua Goldstein and John R. Freeman, *Three-Way Street: Strategic Reciprocity in World Politics* (Chicago: U. of Chicago Press, 1990), chap.1. See also G.Bunn and Rodger A. Payne, "Tit-for-tat and the Negotiation of Nuclear Arms Control," *Arms Control*, 9:3 (December 1988), pp. 207-13, 229.

¹⁷ Alexander L. George, "Strategies for Facilitating Cooperation," pp.702-707. Steven J. Brams uses a similar concept, "conditional cooperation," specified cooperation contingent on the expectation that the other side will cooperate. *Superpower Games: Applying Game Theory to Superpower Conflict* (New Haven: Yale University Press, 1985), p.152.

Reciprocity of equivalent value sufficient?	Yes	Yes	No
If reaction is (a) lacking or (b) exploits initiative, pull back or retaliate?	No for (a), Yes likely for (b)	No for (a), Yes for (b)	Yes for both
Initial purpose?	Reduce tensions	Learn cooperation	Achieve agreement

These strategies can encompass a range of goals, from reducing tensions, to cutting budgets for strategic weapons, to initiating steps toward significant reductions. They do not, however, include reductions that are designed simply to modernize forces, leaving military power at least as strong as before. In the next section, which looks at the history of RUMs, the Johnson-Nixon-Ford-Carter restraint from 1966 to 1979 on increasing the numbers of deployed U.S. ICBMs and SLBMs is not included. During this period, strategic missiles with multiple independently targeted reentry vehicles (MIRVs) rather than single warheads were being developed and deployed by the United States, and the number of U.S. warheads that could hit the Soviet Union was not reduced. So far as we know, no reciprocity was invited or desired from the Soviet Union.¹⁸ On the other hand, military budget cuts taken for domestic reasons may well be worth counting as RUMs even if one of their purposes is to "get more bang for the buck"—as long as they produce reductions in military power.¹⁹ The RUM definition set forth above includes a state's unilateral action "to reduce military forces without reducing its own security but without any informed expectation of specific reciprocity." We made the definition this broad in order to take post-Cold War military budget cuts into account even when there may be no specific request or expectation of reciprocity.

The following historical review of the U.S.-Soviet experience with RUMs suggests that conditional reciprocity is the RUM that has worked best to produce reciprocal action. Quantitative studies of GRIT and tit-for-tat have suggested that GRIT has been much more effective than tit-for-tat because GRIT combines continuing measures by the initiating side with a request for reciprocity; the impact of a single cooperative foreign initiative without such a request seems to have been insufficient to overcome bureaucratic inertia in the rival.²⁰ Moreover, significant uncertainty about what the rival's response would be seems to have deterred a potential initiator from taking the first step. Indeed, when officials in the initiating country have lacked a long view, i.e., when they have had a short time-horizon for results, they have been even less likely to initiate RUMs if there was any significant uncertainty about the rival's response.²¹ These studies suggest good reasons why most successful RUMs seem to have included conditional reciprocity.

¹⁸ William Rose made a similar decision in *U.S. Unilateral Initiatives: When Do They Work?* (Westport, Conn.: Greenwood Press, 1988), p.164, n.42. Carnesale and Haas, however, included these decisions as unilateral measures seeking reciprocity and then argued that "there is no reason to believe that the Soviets respond positively in the area of offensive weaponry." Albert Carnesale and Richard N. Haas, *Superpower Arms Control: Setting the Record Straight* (Cambridge, MA: Ballinger Publishing, 1987), pp.336-37.

¹⁹ See Goldstein and Freeman, *Three-Way Street*, chap. 2, pp.83, 152-54.

²⁰ Goldstein and Freeman, *Three-Way Street*, p.83.

²¹ Downs and Rocke, *Tacit Bargaining, Arms Races, and Arms Control*, pp.140, 202-204.

RUMs in the Cold War

The Soviet Union and the United States tried RUMs several times during the Cold War. The most important attempts, discussed below, were:

1. Soviet unilateral troop reductions and "peace initiatives" of the 1953-61 period;
2. Moratoria on nuclear-weapons testing in 1958-61 and in 1963 before the Limited Test Ban Treaty was signed;
3. The removal of medium-range nuclear missiles from Cuba and Turkey after the 1962 Cuban missile crisis;
4. Parallel actions against the deployment of nuclear weapons in orbit from 1963 to 1967 when a treaty was adopted;
5. Joint restraint on attacking each other's reconnaissance satellites when such attacks might have been undertaken;
6. Restraints after 1967 on deployment of new national anti-ballistic missile systems while seeking what became the ABM Treaty of 1972;
7. The moratorium on testing anti-satellite weapons against satellites from 1986 to 1997.

At the end of the Cold War two important RUMs were adopted by the United States and the Soviet Union/Russia. The first was the unilateral Soviet reduction of approximately one half million troops (including large withdrawals from Czechoslovakia, East Germany, and Hungary) announced by President Gorbachev at the United Nations on December 7, 1988. The second was the "bringing home" of thousands of American and Soviet non-strategic nuclear weapons deployed in other countries (and in non-Russian republics of the Soviet Union) as well as on surface naval vessels, following an announcement by President Bush in September 1991 that was reciprocated by President Gorbachev.

1. Soviet unilateral troop cuts: After Stalin's death his successors followed a GRIT-like strategy that helped to reduce American distrust sufficiently to bring about the summit meeting in Geneva in 1955 and the Austrian State Treaty in the same year.²² The Soviet leaders hoped to avert war by reducing tension with the West, and also to prevent German rearmament; they do not seem to have believed that it was possible to effect a fundamental change in the "enemy image" that U.S. leaders held of the Soviet Union.

Between 1953 and 1961 Khrushchev made a series of unilateral reductions in Soviet troop strength; he cut the Armed Forces by more than two million men. Economic factors probably played a major role in these reductions.²³ A major purpose was probably to provide more manpower for agriculture and industry. Khrushchev was also trying to improve the Soviet image in the world. But he blustered about Soviet missiles, told the West that Communism would "bury" capitalism, and advocated "wars of national liberation" against the "imperialists" led by the United States. Statements such as these were not consistent with an intention to change the West's image of the Soviet Union as an enemy. The Eisenhower administration dismissed Khrushchev's troop cuts as propaganda and as an attempt to sow dissension in NATO. It took the position that this "gesture" was "forced on the USSR by economic conditions, was militarily insignificant in an age of nuclear weapons and was not

²² Deborah Welch Larson, "Crisis Prevention and the Austrian State Treaty," *International Organization* 41:1 (Winter 1987), pp.27-60.

²³ Matthew Evangelista, "Missed Opportunities and Closed Archives: Did the Eisenhower Administration Defeat Khrushchev's Disarmament Initiatives?" Paper presented at a conference on Eisenhower's World Legacy, Moscow, 11-16 Nov. 1990.

intended to serve the role of détente."²⁴ It made no cooperative response to the Soviet initiatives.

Khrushchev's troop cuts nevertheless fall within our definition of RUM, even if we assume that his primary motive was to improve Soviet relations with Western Europe at the expense of the United States, to prevent West German rearmament, and to achieve U.S. troop withdrawals from Europe.²⁵ The Soviet reductions were undertaken in the expectation that some reciprocal steps would be taken by NATO members, including the United States. But the United States did not reciprocate, and when President Kennedy sought an increase in the U.S. budget for ICBMs and SLBMs and called up U.S. reserve forces in response to Khrushchev's pressure on West Berlin in 1961, Khrushchev publicly abandoned the cuts he had announced the year before.²⁶ After Khrushchev's removal from power in 1964, Soviet force levels were raised again.

This experience may have convinced the old-guard Soviet leadership that unilateral measures could achieve little beyond propaganda. On the other hand, the same experience, when linked to what happened after the Cuban missile crisis, may have helped to convince a younger generation of Soviet politicians and policy analysts that the Cold War could be finished by a series of unilateral blows to the "enemy image," exactly the purpose of the GRIT strategy. The slogan, "We'll rob you of the enemy," announced by President Gorbachev and his advisers in the fall of 1988, might not have been devised without this experience.²⁷

2. Moratoria on nuclear weapons testing: An American nuclear weapon test in the Pacific in 1954 spread radioactive fallout over a wide area. Public protests against nuclear testing mounted in the years that followed. In 1958 first the Soviet Union and then the United States unilaterally halted nuclear tests.

In March 1958 Khrushchev stopped Soviet tests, reserving freedom of action if the other nuclear-weapon powers did not follow suit. This was a strategy of conditional reciprocity. Eisenhower's test moratorium, which began in November 1958, was explicitly conditioned upon a continuing absence of Soviet tests. Later, after sharp Soviet-American differences over Berlin, the Soviet Union did resume testing in 1961 and gave as justification the French tests that had begun in 1960. President Kennedy resumed testing soon thereafter, giving the Soviet resumption of testing as one of the reasons for doing so.²⁸

²⁴ Evangelista, "Missed Opportunities and Closed Archives."

²⁵ Much later, in the part of his memoirs not made available to the West until glasnost, Khrushchev said: "We then [1955] proposed equal and mutual reductions for NATO and the Warsaw Pact [in disarmament talks]. We offered to dismantle our military bases located on the territories of third governments...We called them [Soviet troops] home and dismantled the bases [in China and Finland]. We wanted to show our good intentions to the West. But the West did not follow our good example..." Nikita S. Khrushchev, *Khrushchev Remembers: the Glasnost Tapes* (Boston: Little, Brown & Co., 1990), p.71.

²⁶ Raymond L. Garthoff, "Estimating Soviet Military Force Levels: Some Light from the Past," *International Security* 14:4 (Spring 1990).

²⁷ It appeared first in interviews of Academician Georgy Arbatov with Western journalists.

²⁸ The history of the testing RUMs in the 1960s is given in somewhat more detail in Bunn, *Arms Control by Committee: Managing Negotiations with the Russians* (Stanford, CA: Stanford U. Press, 1992), pp. 28-35, 241-45.

The 1958-61 moratorium was intended by both sides, according to their public statements, to aid in the negotiation of a comprehensive test ban treaty. This negotiation, however, foundered on mutual suspicion accompanied by arguments over on-site inspections. Thus the unilateral measures failed to lead to long-term cooperation.

3. RUMs after the Cuban missile crisis: The Cuban missile crisis of 1962 produced parallel withdrawals of medium-range missiles from Cuba and Turkey. The removal of these missiles was made pursuant to a secret unwritten deal known to only a few participants at the time, but nevertheless constituted part of the overall settlement of the crisis.²⁹ This agreement, concluded between Robert F. Kennedy and Anatoly Dobrynin, fits our definition of reciprocal unilateralism. The United States agreed to withdraw its missiles from Turkey after the Soviet Union had withdrawn its missiles from Cuba; it would do this, moreover, only if the Soviet kept the agreement secret. In other words, the unilateral actions were conditioned upon reciprocity.

Having come close to nuclear war in the Cuban missile crisis, Kennedy and Khrushchev looked for ways to improve relations between their two countries. They turned to the pending negotiations for a comprehensive test ban treaty, but their efforts foundered again on the rock of on-site inspections. Then Kennedy took an important unilateral step. In his American University speech of June 1963 he announced a "strategy of peace" designed to start a "relaxation of tensions." This and other language in the speech was GRIT-like in its intention to modify the Soviet image of the United States as the enemy. The specific unilateral measure announced by Kennedy in the speech, however, was conditioned upon reciprocity. Kennedy announced an end to American nuclear tests in the atmosphere so long as the Soviets did not test there. He also called for negotiation of a comprehensive test ban, or, if that was not possible, a ban on all but underground tests. His speech was followed by a pause in Soviet testing and by Khrushchev's acceptance in principle of a limited test ban, a major Soviet concession from a long-held position. The Limited Test Ban Treaty was negotiated soon thereafter.

Even after Kennedy's death, private talks continued between the United States and the Soviet Union, leading to RUMs based upon conditional reciprocity: freezing military budgets, cutting production (or planned production) of fissionable material for nuclear weapons, and withdrawing some 20,000 Soviet and 14,000 American troops from the two Germanies.³⁰ But cooperation through unilateral measures ended as mutual distrust increased—in part because of Khrushchev's removal in October 1964, and in part because of the escalation of the war in Viet Nam starting in 1965.

4. Nuclear weapons in orbit: Various other unilateral measures were taken by the two sides after the Cuban missile crisis. Following joint restraint and talks about the militarization of space, the United States and the Soviet Union made unilateral but identical declarations in support of a 1963 UN General Assembly resolution against placing weapons of mass destruction in orbit around the earth. This informal agreement was given greater detail and made legally binding in the Outer Space Treaty of 1967.

5. Reconnaissance satellites: Parallel but conditional unilateral measures were also adopted in

²⁹ Ernest R. May and Philip D. Zelikow, eds., *The Kennedy Tapes*, Harvard University Press, 1997, pp. 605-608. See also Bruce J. Allyn, James G. Blight and David A. Welch, "Essence of Revision: Moscow, Havana, and the Cuban Missile Crisis," *International Security* 14:3 (Winter, 1989/90), pp.136, 157-59, 163-65. This also shows the different interpretations given the bilateral talks by the two sides. On that score, see also Committee on Foreign Affairs, House of Representatives, 96th Cong., 1st Sess., *Emerging New Context for U.S. Diplomacy*, Special Series 1(Washington, DC: GPO, 1979), pp.344-45, 349-50; Interview with Feklisov on Soviet TV, Nov. 5, 1990 and in *10 Voenno-Istoricheskii Zhurnal* (Moscow: 1990).

³⁰ See Bunn, *Arms Control by Committee*, pp.242-43.

another important area. The Soviet Union had rejected Eisenhower's Open Skies plan in 1955 and had shot down an American U-2 reconnaissance aircraft over the Soviet Union in 1960. But the United States had already decided to implement the Open Skies plan as far as possible through reconnaissance satellites. Since the Soviet Union had put the first satellite in orbit around the earth over the territory of other countries in 1957, it could not complain seriously about American satellites over Soviet territory. The result was reciprocal restraint: neither side attacked the other's satellites.

This arrangement began essentially with a tit-for-tat strategy. U.S. officials told Congress and the press that the United States had no intention of trying to destroy Soviet satellites even if it could. Consultation and restraint, followed by the Outer Space Treaty of 1967 and the ABM Treaty of 1972, codified a regime that protects reconnaissance satellites in space in much the same way as international law protects ships on the high seas.³¹

6. ABM systems: The negotiation of the ABM Treaty of 1972 was preceded by reciprocated restraint in ABM deployment. President Johnson wrote to Chairman Kosygin in 1967 that he was under pressure to deploy an ABM system because the Soviet Union was deploying such a system. Johnson suggested mutual restraint and the negotiation of an agreement limiting both offensive and defensive missiles. At the same time he told Congress that American ABM deployment should be deferred pending talks with the Soviet Union. Though Johnson later supported ABM deployment when the Soviet Union refused to abandon its opposition to limiting ABMs, he continued to press for talks. When the Soviet Union finally agreed to negotiate in 1968, U.S. satellite reconnaissance showed that work had stopped at one new Moscow ABM site, which was then two-thirds completed. The Johnson deployment plan was revised in 1969 by President Nixon but it remained limited and was authorized that way by Congress. To both the Soviet Union and Congress, Nixon suggested a conditional restraint pending agreement. It appears that what we have called a conditional RUM was partially reciprocated on the Soviet side, and that authorization of a limited ABM American deployment combined with reciprocated restraint contributed to the conclusion of the ABM Treaty.³²

Several other RUMs were attempted in the 1970s, but with little success. Carter made a SALT II proposal asking for much deeper cuts in large Soviet ICBMs than had been agreed by Brezhnev with the prior U.S. administration; this the Soviet Union refused to do.³³ When the Carter administration later wanted to cancel neutron bomb development, it sought reciprocity from the Soviet Union in other areas because the Soviets had no neutron bomb to cancel. The Soviet response—that both sides should renounce neutron bombs—was then rejected by the United States as inadequate. The United States, however, did not deploy neutron bombs in Germany as originally planned.

7. Anti-satellite weapons: Despite the apparent onset of a "Second Cold War" in the early 1980s, a conditional Soviet decision not to test anti-satellite weapons (ASATs) was

³¹ See Steven Weber and Sidney Drell, "Attempts to Regulate Military Activities in Space" in George, Farley and Dallin (eds.), *U.S.-Soviet Security Cooperation*, pp.373-431; Bunn, "Open Skies for Missile Killers" *Arms Control Today* 17:4 (May 1987), pp.14-16.

³² Case studies of the American effort to limit ABMs as a unilateral arms control initiative or "contingent restraint" appear in William Rose, *U.S. Unilateral Arms Control Initiatives: When Do They Work?* (Westport, CO: Greenwood Press, 1988), chap.7; Steven Weber, *Cooperation and Discord in Security Relationships: Toward a Theory of U.S.-Soviet Arms Control* (Stanford, CA: Stanford U. Ph.D. thesis in political science, 1988), pp.109-113; 227-317, 647-56.

³³ See Vladislav M. Zubok, "An Offered Hand Rejected? The Carter Administration and the Vance Mission to Moscow in March 1977," paper presented to the Conference on the Carter Presidency, Hofstra University, Nov. 14-17, 1990.

reciprocated by the U.S. Congress in 1986. General Secretary Andropov had told a group of visiting American senators in 1983 that the "USSR assumes the commitment not to be the first to put into outer space any type of anti-satellite weapon."³⁴ U.S.-Soviet relations were at a low ebb at this point and the Reagan administration went ahead with its ASAT development plans. Gorbachev announced the continuation of the Soviet ASAT test moratorium after he became General Secretary in 1985 and asked for American reciprocity. The Reagan administration's response was a 1985 ASAT test. But in 1986 Congress cut off funds for a year for American ASAT testing against an object in space, on condition that the Soviet Union continue to refrain from testing. In one form or another, congressional reciprocation of the Soviet-initiated RUM continued until 1995.³⁵ In 1997 the Clinton administration authorized an experimental American laser-beam attack against an American satellite, arguing that the purpose was solely defensive—to see whether the U.S. satellite was vulnerable while in orbit to such an attack.³⁶

RUMs and the End of the Cold War

RUMs played a key role in bringing the Cold War to an end and in winding down the military confrontation between the Soviet Union and the United States. Two measures in particular were important. The first was the troop cut announced in President Gorbachev's address on December 7, 1988, to the UN General Assembly. Gorbachev and his Foreign Minister Eduard Shevardnadze had made many statements about "new political thinking" and called for a less ideological approach to foreign policy. The INF (Intermediate-range Nuclear Forces) Treaty had been signed at the Washington summit in December 1987, and the Soviet-American relationship was less tense than at any point since World War II when Gorbachev made his speech to the UN General Assembly. That speech came just after the election, but before the inauguration, of George Bush as president and was designed to have maximum impact on international opinion.

Gorbachev's UN speech was GRIT-like in that it announced a series of accommodating steps not conditioned upon reciprocity. But there was an implicit invitation to reciprocate, for the UN context and the speech itself suggested that other countries should follow the Soviet example. Gorbachev argued that respect for "universal human interests," not the export of a particular ideology or the use of force, should be the basis for foreign policy:

Further world progress is now possible only through a search for a universal human consensus in the movement toward a new world order...It is also clear to us that the principle of freedom of choice is mandatory.

The INF Treaty, he said, had opened a "sizable breach" in a seemingly "impenetrable wall of suspiciousness and hostility" between East and West. Moreover, the Soviet Union had "moved from the principle of overarming to the principle of reasonable sufficiency for defense." A

³⁴ ACDA, Documents on Disarmament, 1983, p. 648, 650.

³⁵ See U.S. Congress, House Joint Resolution 465, Further Continuing Appropriations for Fiscal Year 1986, Conference Report 99-450, 99th Cong., 1st Sess. (1985), sec. 8097, p.37; House Armed Services Committee, "FY 91 Defense Authorization Act, House-Senate Conference, Summary of Major Actions" (Oct. 18, 1990); Barry Blechman, *The Politics of National Security* (New York: Oxford University Press, 1990), pp.92-97; William J. Broad, "Laser to be Fired at U.S. Satellite," *New York Times* (National Ed.: Oct. 3 1997), p. A.-1.

³⁶ Broad, "Laser to be Fired at U.S. Satellite."

"new model of ensuring security...through arms reduction on the basis of compromise" was being formed. To "strengthen this healthy process not only in word but in deed," the Soviet leadership had decided to reduce its armed forces:

In the next two years the number of troops will be decreased by 500,000 men...These reductions will be conducted unilaterally, with no connection to the [then forthcoming Conventional Forces in Europe (CFE)] talks...With the consent of our Warsaw Pact allies, we have decided to withdraw six tank divisions from the GDR [German Democratic Republic], Czechoslovakia and Hungary by 1991 and to disband them...The Soviet troops in these countries will be reduced by 50,000 men, and armaments will be cut by 5,000 tanks.³⁷

The withdrawals from Eastern Europe announced by Gorbachev were larger than would have been required of the Soviet Union by the most far-reaching NATO proposal made in the previous 14 years of unsuccessful East-West negotiations about conventional arms reductions. The Chairman of the U.S. Joint Chiefs of Staff stated that, if these announced cuts were made, as "a practical matter, I think the [threat of a] bolt-out-of-the-blue conventional attack on Western Europe would go away."³⁸

Gorbachev's speech was followed by a series of further steps: by the announcement of significant unilateral reductions in their own forces by other Warsaw Pact countries; by publication of comprehensive data on Pact military forces, which NATO had sought for years in the conventional arms talks; and by agreement to make huge asymmetrical cuts in Warsaw Pact tanks, artillery, and armored troop carriers to eliminate the disparity between the Pact and NATO in a CFE agreement. These steps were taken without any commitment by NATO or the United States to respond in kind. It is evident that Gorbachev and Shevardnadze were pursuing a persistent GRIT strategy, with the aim of eliminating the image the West had of the Soviet Union as the enemy and thereby opening the way to cooperation.

Soviet actions did elicit a response from the United States and NATO. In May 1989 NATO proposed limits on land-based combat aircraft and attack helicopters, an area where it had earlier refused to negotiate. A new tactical nuclear weapon planned for Germany, the Lance "follow-on," was given up unilaterally. Bush and Gorbachev, working together, gave high priority and the necessary instructions for prompt completion of the CFE negotiations. In July 1990, the London NATO summit announced a series of steps designed to assuage Soviet security concerns. These included reviews of NATO's nuclear "first-use" and conventional "forward-defense" strategies, both perceived as offensive by the Soviet Union. The NATO declaration said that reliance would be placed on nuclear weapons only as a "last resort." NATO also agreed to future negotiations sought by the Soviet Union for a European non-aggression pact, for further cuts in conventional forces in Europe, and for changes in the Conference on Security and Cooperation in Europe to strengthen its dispute-resolution mechanisms and enhance its role as a regional security organization. NATO promised an additional unilateral measure—to remove nuclear shells from Germany when the talks on

³⁷ Address to the UN General Assembly, December 7, 1988, Current Digest of Soviet Press XL:49 (Jan.4, 1989), p.5-6.

³⁸ Admiral Crowe quoted in Lee Feinstein, "Soviet Cutbacks after the Revolutions," Arms Control Today, 19:5 (June/July 1989), p.13.

short-range nuclear forces began.³⁹

In spite of these measures, the initial Western response to the Soviet policy was disappointing to many in the Soviet Union. Soviet military officials and conservatives in the ruling apparatus argued publicly that NATO and the United States had not reciprocated adequately. Gorbachev's military adviser, Marshal Akhromeyev, Defense Minister Yazov, and Chief of the General Staff Moiseyev expressed disappointment at NATO's refusal to renounce more fully the offensive components of its military strategy and at the refusal of the United States and NATO to consider cutting where they were farthest ahead—in naval forces. They felt that Soviet security interests had been sacrificed to Gorbachev's "new thinking," and that the civilian leaders, and particularly Shevardnadze, were to blame.

Events in Europe overtook the Soviet initiatives and the CFE negotiations. The opening of the Berlin Wall in November 1989 was followed by the collapse of the Communist regimes in Czechoslovakia, East Germany, Hungary, and Romania. (Poland already had a Solidarity-dominated coalition government.) The Soviet Union agreed to withdraw all its armed forces from Czechoslovakia and Hungary. Negotiations produced agreement on German unification, on the withdrawal of all Soviet forces from the eastern part of Germany, and on the reunified Germany's right to be a member of NATO. These agreements were ratified in a treaty between the two Germanies and their four occupying powers: Britain, France, the Soviet Union, and the United States.⁴⁰

The members of NATO and the Warsaw Pact completed the CFE Treaty in November 1990 to codify the unilateral steps and concessions not already covered by the Final Settlement Treaty and other agreements. The CFE Treaty, for example, requires force reductions in the Soviet Union west of the Urals, not just in Czechoslovakia, Hungary, and Germany. It gives inspection and visitation rights that the unilateral steps and other agreements do not give. It provides a quantitative baseline, as well as definitions of the categories of weapons and forces, for future CFE negotiations or possible RUMs. The definitions and quantitative baseline took up most of the time in the CFE negotiations and have been extraordinarily important for coordinated East-West defense planning and for subsequent talks.⁴¹

Gorbachev's policies initiated this dramatic sequence of events and effectively brought the Cold War to an end. For conservatives in the Soviet Union, however, this whole process was a disaster. In their eyes, Gorbachev had overplayed his hand on conventional cuts and grossly mismanaged events in Eastern and Central Europe. Many of those who took this view supported the August 1991 coup. Once that coup was defeated, Gorbachev was free to take additional unilateral steps. At the same time, however, the disintegration of the Soviet Union

39 Stanley Resor, "Rapid Progress in Negotiations on Conventional Forces in Europe," (Unpublished manuscript by former conventional arms negotiator, Sept. 28, 1989); Resor, "European Arms Control After the NATO Summit," *Arms Control Today* 19:4 (June/July 1989), pp.3-5; Thomas E. Halvorson, "NATO, Gorbachev Give Impulse to Germany Unity," *Arms Control Today*, 20:6 (July/Aug. 1990), pp. 23-24.

40 Philip Zelikow and Condoleezza Rice, *Germany Unified and Europe Transformed: A Study in Statecraft* (Cambridge, MA: Harvard U. Press, 1995); Karl Kaiser, "Germany's Unification," *Foreign Affairs* 70:1 (America and World issue, 1990-91), pp.179-205; Feinstein, "Soviet Cutbacks after the Revolution," pp.8-12; "Treaty on the Final Settlement with respect to Germany" of Sept. 12, 1990, *Arms Control Today*, 20:8 (Oct. 1990), pp. 33-34.

41 "Treaty on Conventional Forces in Europe," signed in Paris on November 19, 1990. In current negotiations to revise the treaty, the definitions and base are still very important. The definitions have been used to create a UN Register of conventional arms pursuant to which most countries having significant arms report them and their arms transactions annually to the United Nations.

raised new concerns: could the much-weakened central government in Moscow maintain control over the non-strategic nuclear weapons stationed in the peripheral republics of the Soviet Union? These weapons were widely dispersed throughout the Soviet Union, less tightly controlled from the Center than strategic weapons, and also in danger of being taken over by new governments if the Soviet Union finally disintegrated.

In an imaginative effort to deal with this problem, President Bush announced on September 27, 1991, that the United States would withdraw to U.S. territory its non-strategic nuclear warheads on artillery and short-range missiles, its bombs for aircraft, and its nuclear weapons on American surface naval vessels—not including strategic warheads for SLBMs and a few hundred aviation bombs in Western Europe. More than 3,000 U.S. warheads for nuclear artillery, short-range missiles, depth charges, and bombs would, he said, be dismantled. More than 1,000 others would be stored in central arsenals in the United States. Long-range bombers, along with strategic ballistic missiles scheduled for dismantlement under START I, were taken off alert, and several advanced ballistic missile programs were terminated.

Bush suggested reciprocity but did not make his moves conditional on a response by Gorbachev. He proposed negotiations to eliminate multiple warheads from ICBMs and to agree on techniques for dismantling the warheads and bombs to be destroyed. His initial step was simply to withdraw weapons to the United States, an action which could have been rescinded if there had been no satisfactory response. The initial steps were taken without treaty obligation and without verification. As commander-in-chief Bush could withdraw weapons without the approval of the Senate that a treaty would have required.

Eight days after Bush's statement, Gorbachev announced unilateral steps that went beyond Bush's. He declared his intention to withdraw all Soviet non-strategic weapons from regional outposts and from naval vessels to "central bases" in the Soviet Union. This resulted in the withdrawal of non-strategic weapons from Warsaw Pact allies and from non-Russian republics of the Soviet Union (this latter process was already under way at the time of the Bush initiative). More than 10,000 weapons were expected to be withdrawn: nuclear artillery projectiles, land mines, and warheads from non-strategic land-based weapons and naval vessels. These were to be dismantled, Gorbachev said. Strategic bombers and approximately 500 ICBMs were taken off alert; rail-mobile missiles were returned to main bases, and certain missile development programs were terminated. Gorbachev agreed to the negotiations Bush had proposed (negotiations that eventually produced START II) and to talks about techniques for dismantling nuclear explosives.⁴²

RUMs after the Cold War

Alongside formal negotiations, RUMs have continued to play an important role in the post-Cold War period. Nevertheless, recent experience has shown that RUMs have drawbacks as well as advantages. The talks on dismantling nuclear weapons have not yet produced a comprehensive agreement on how to account for, or to verify, the numbers of weapons dismantled or the amount of weapons-usable material that has become available as a result of dismantlement. In the Nunn-Lugar Cooperative Threat Reduction Program, the U.S. Congress authorized financial assistance to Russia to help protect the warheads, warhead components, and weapons-usable nuclear material from explosion, theft, or diversion by

⁴² For these Bush-Gorbachev RUMs, see "A New Era of Reciprocal Arms Reductions," *Arms Control Today* 21 (Oct. 1991), pp. 3-6; Arms Control Association, "Factsheet: Comparison of U.S. and Russian Nuclear Cuts" (Sept. 1, 1992); Robert S. Norris and William M. Arkin, "Nuclear Notebook, Disarmament Race, September-October 1991," *Bulletin of the Atomic Scientists* (Dec. 1991), p.49; Bunn, *Arms Control by Committee*, pp.251-52.

terrorists or by other nations. The largest single authorized expenditure has been for a building for safe storage of dismantled warhead "pits" and "secondaries"—key weapon components from the RUMs reductions as well as from START I reductions. President Yeltsin has offered to have the materials in this building safeguarded (and accounted for) by the International Atomic Energy Agency when the building is completed. But negotiations to accomplish that end have not been successful so far. Russia and the United States are reported to be dismantling warheads at the rate of 1500-2000 per year. But the lack of better verification so far for the Bush-Gorbachev RUMs may present problems for the political acceptability of RUMs of this kind in the future. At the same time, non-treaty forms of written agreement have taken over in the continuing and partially successful U.S.-Russian negotiations to agree on verification of weapons dismantlement, and weapons material protection, accounting, and ultimate disposition since the Bush-Gorbachev RUMs of 1991.⁴³

The post-Cold War years have seen important steps in the effort to achieve a comprehensive nuclear test ban. The Soviet Union has not tested since 1990. Gorbachev made the Soviet cessation-in-fact more formal by announcing a one-year unilateral moratorium in October 1991, and this was later extended by Yeltsin.⁴⁴ In October 1992 the U.S. Congress enacted a law permitting U.S. testing only to assure the safety and reliability of existing weapons, not to try out improved weapons designs. This statute also said that all U.S. testing would stop by September 30, 1996, unless another nation tested after that date.⁴⁵ But the Joint Chiefs refused to provide funds for further safety and reliability tests proposed by U.S. weapons labs pursuant to this statute. President Clinton then concluded that U.S. weapons were safe and reliable and that the U.S. moratorium initiated by Congress should continue.⁴⁶ There was no testing after 1992 by the United States—or by Britain, which used the American testing site. China and France continued to test until 1996. By September of that year, negotiations for a Comprehensive Test Ban Treaty had been completed and the treaty was signed by all five nuclear-weapon powers but is not yet in force. No tests by any of the five have taken place since then. We classify this moratorium as a multilateral RUM started by Gorbachev in a GRIT-like move, continued by the U.S. Congress as conditional reciprocity, and followed eventually by China and France.⁴⁷

⁴³ See Bunn and Rhinelander, "The Duma-Senate Logjam," pp.76-90.

⁴⁴ See Sergey V. Kortunov, "Russia," in Eric Arnett (ed.), *Nuclear Weapons after the Comprehensive Test Ban: Implications for Modernization and Proliferation* (New York: Oxford U. Press, 1996), pp.87-88. A seismic event that occurred below the ocean floor more than 100 kilometers from the Russian testing site of Novaya Zemlya in August 1997 appears to be an earthquake, not a nuclear-weapon test. See Steven L. Meyer, "U.S. Suspects Russia Conducted a Nuclear Test in the Arctic," *New York Times* (National ed.), Aug. 27, 1997, p.A-6; Craig Cerniello, "U.S. Investigating Seismic Event Near Russian Nuclear Test Site," *Arms Control Today*, 27:5 (Aug. 1997), p.19; Spurgeon Keeny, "Aftershocks from the Novaya Zemlya Earthquake," *Arms Control Today*, 27:5 (Aug. 1997), p.2.

⁴⁵ Section 507 of the Energy and Water Development Appropriation Act of 1993, P.L. 102-377.

⁴⁶ President Clinton, "Moratorium Extended on U.S. Nuclear Testing," 4:28 U.S. Dept. of State Dispatch, (July 12, 1993), p.501.

⁴⁷ After the Comprehensive Test Ban Treaty (CTBT) was signed, the signers had an obligation, under the Vienna Convention on the Law of Treaties, not to do anything inconsistent with the purpose of the CTBT before it went into effect so long as they intended to ratify and be bound by it. Since its purpose

At a 1994 summit meeting in Moscow, Presidents Clinton and Yeltsin "announced that they will direct the detargeting of strategic nuclear missiles under their respective commands. This means that by May 30, 1994, no country will be targeted by the strategic forces of either side..."⁴⁸ One might classify this as a RUM of conditional reciprocity, but it may be better to call it an informal written agreement, a joint statement from the two that is not legally binding but may well carry a greater sense of political obligation than RUMs do. Just as with successful RUMS, however, future leaders in either country may not feel bound by such agreements. In this important respect informal agreements and RUMs differ from treaties.

This Clinton-Yeltsin announcement demonstrates how close conditional reciprocity RUMs are to the joint-statement form of informal agreement. It may also demonstrate that relations between Presidents Clinton and Yeltsin have become so good that they choose informal agreements rather than the more indirect strategy of reciprocity. Certainly there have been many joint statements from the two presidents promising future agreements on arms control and other common action.⁴⁹ If relations between the executive branches of the two countries remain this good, temporary, non-binding informal written agreements may well become a better mechanism than RUMs for reducing the threats of nuclear war that each country, in its present posture, poses to the other.⁵⁰ Such agreements are more likely than RUMs to be the product of significant negotiation and to embody the details of the promises that the two presidents, as commanders in chief but often acting through assistants, have made to each other to limit their military forces. Like RUMs, they need not be submitted to the two legislatures because they do not create legal obligations. Like RUMS, they can be, and often have been, the predecessors of treaties covering the same subject with greater obligation and more detail.

Lessons from the History of RUMs

1. Most of the historically successful RUMs can be classified as conditional reciprocity. All but one of the reciprocated measures of the 1957-1972 period were conditional and equivalent; all involved some bargaining because the initiator was willing to take action only on condition of reciprocity.

2. The one exception in the 1957-72 period—the protection of reconnaissance satellites—resulted from tit-for-tat. Though it was successful in producing a very important norm of international law, it was not in itself intended to reduce tension or lead to other agreements. Nevertheless, the increased transparency produced by reconnaissance satellites did help to stabilize the U.S.-Soviet relationship.

3. The most important exception in the entire 1953-1997 period to the approach of conditional reciprocity was Gorbachev's troop cuts. Gorbachev sought reciprocity, but did not

was first of all to stop testing by the nuclear-weapon states, the Vienna Convention would seem to prohibit testing by them. See G.Bunn and John B. Rhinelander, "U.S. Should Lead Effort to Enforce Legal Norm Against Testing," *Arms Control Today* 26 (Oct.1996), p.30.

⁴⁸ White House, Office of the Press Secretary (Moscow), January 14, 1994.

⁴⁹ See, e.g., "Joint Statements of the Helsinki Summit," "Joint Statement on Parameters on Future Reductions in Nuclear Forces," *Arms Control Today* 26:1 (March 1997), p.19-20.

⁵⁰ In the last two decades there have been many non-treaty but written arms control agreements in a variety of forms. A number of these are described in Bunn and Rhinelander, "The Duma-Senate Logjam," pp.76-79.

demand it. His initiative should be classified as GRIT, and it produced more important long-term results than any of the other RUMs we considered, even Bush's GRIT-like unilateral action to bring home non-strategic nuclear weapons.

4. Why the greater usage of conditional reciprocity RUMs? A national leader can deflect domestic criticism by conditioning unilateral measures on specific action by a rival. (At the same time, however, conditional reciprocity may be less likely to reduce the other side's image of the initiator as an enemy than GRIT can.) If accompanied by private bilateral communication between leaders (as seems to have been the case for most conditional RUMs), conditional reciprocity can help deal with two basic problems for an initiator. These are, first, policy inertia on the part of the rival and, second, uncertainty about the likelihood of a successful response from the rival. Prior consultation and conditionality, both bargaining tactics, can help to get the rival's attention and reduce the uncertainty.

5. Is there a role for prior communication even when following a GRIT strategy? If the tensions between the two sides are high, communication alone may have little effect. The main purpose of GRIT actions in theory is to ease tensions by reducing the rival's image of the initiator as the enemy. The Soviet GRIT-like steps that produced the Austrian State Treaty and a summit meeting did help to improve communication a little. But when Khrushchev began troop cuts in 1955, distrust was still high and bilateral communication low. Indeed, from 1945 to 1961, the United States consistently rejected Soviet attempts to find regular channels for secret bilateral talks. Communication improved greatly during the Kennedy Administration, at first to deal with the Berlin crisis of 1961 but then, most dramatically, during and after the Cuban missile crisis of 1962. We believe that secret bilateral talks preceded all of the successful conditional reciprocity RUMs of the 1960s that followed that crisis.

When Gorbachev used GRIT to push conventional arms control in 1988 and Bush used it to obtain the withdrawal of non-strategic nuclear weapons to home bases in 1991, tensions had already been greatly reduced from their high point in 1983; communication, both bilateral and secret, had increased greatly. There had been many prior conversations on related arms control subjects, and it is hard to believe that there were not consultations about the Bush withdrawal announcement of 1991. In the case of Gorbachev's December 1988 troop cuts, communication seeking reciprocity is less likely to have happened because the U.S. government was then between administrations. Whether prior communication or conditionality would have produced more equivalent reciprocity in 1988 is impossible to say. If it had, Gorbachev would have had better protection from the sharp domestic criticism.

GRIT, as used by Gorbachev, was a deliberate attempt to eliminate the enemy image and to prepare the way for cooperation instead of confrontation. It had a tremendous political impact in the West. Given the domestic criticism Gorbachev faced, however, we might expect future leaders to communicate with their rivals before initiating GRIT-like RUMs, and perhaps to use conditional reciprocity instead.

6. As might be expected, conditional RUMs have been used primarily to produce particular agreements and only secondarily to improve overall relations. The conditional RUMs we describe in this paper probably contributed to improvements in relations by demonstrating that agreements can be reached on the basis of common interests. Individually they did not reduce tensions as dramatically as an important GRIT step like Gorbachev's troop withdrawals. Taken together, however, the conditional RUMs of the 1960s made a major contribution to "jump starting" arms control negotiations that then produced formal agreements and contributed to improved political relations.

7. From an arms control point of view, the major problems with RUMs are that they do not impose legal obligations on either side, are sometimes unable to provide much detail about what each side plans to do, and do not customarily provide for verification—though, as in the case of the moratoria on nuclear weapon testing, they may be verifiable to a large degree by national technical means. These problems are resolved if the RUMs are followed by negotiation of formal agreements that can be verified. The Outer Space Treaty, the ABM Treaty, the Limited and Comprehensive Test Ban Treaties, and the CFE Treaty (together with

the German Final Settlement Treaty) all codify RUMs we have described and all are verifiable.

8. Informal written "political" agreements such as the Clinton-Yeltsin detargeting announcement may be, for most purposes, a better way to record conditional reciprocity than RUMs. When relations between executive branches of the two countries are very good as they are now, in February 1998, informal agreements may take the place of RUMs.

Table 3
Summary of RUM Strategies Used in Practice: 1953–92

RUMS	GRIT	Tit for tat	Conditional Reciprocity
1. Khrushchev Troop Reductions, 1953–61	X		
2. Moratoria on Nuclear-Weapons Tests			X
3. Removal of Nuclear Missiles—Cuban Missile Crisis			X
4. Non-Deployment of Nuclear Weapons in Orbit			X
5. Restraint on Attacking Reconnaissance Satellites		X	
6. Restraint on ABM System Deployments			X
7. Moratorium on Testing Anti-Satellite Weapons			X
8. Gorbachev Troop Withdrawals: 1988–89	X		
9. Bush Non-Strategic Nuclear-Weapon Withdrawals: 1991–92	X		

Conclusion

This survey has shown that treaties are not the only mechanism for achieving arms control. RUMs and informal agreements have played, and continue to play, a key role alongside the formal process of negotiation that leads to arms control. It is important to bear this in mind as we face the current slowdown in the Duma and the Senate.

The slowdown in the legislative approval of arms control treaties reflects the lower priority that arms control now enjoys, as well as differences and disagreements in both the Duma and the Senate about the treaties in question. Yet arms control remains, as we have argued, a matter of vital importance: the nuclear forces of Russia and the United States could still inflict catastrophic damage on the two countries and on the rest of the world. Much remains to be done to reduce the nuclear danger.

If the Duma and the Senate do not approve the treaties now before them, the two sides will nevertheless make changes in their strategic nuclear policies—to deal with obsolescence, to save money, or to counter changing threats. These changes are likely to produce more secure results for both sides if they take place within a framework of arms control agreements that gives predictability to the process and thus helps to maintain stability in U.S.-Russian relations. If that framework does not consist of treaties, it can, as this report has suggested, be constructed from informal (i.e., non-treaty) agreements between the executive branches of the two sides. The history that we have surveyed suggests that consultation between the two sides is necessary to provide the basis for successful conditional reciprocity and for informal agreements. What is essential is that each side see what effect its changes are likely to have on the other so as to avoid, if possible, a new nuclear arms race or (more likely) greater instability than now exists. Our hope is that consultation would produce a measure of agreement on the future role of nuclear weapons between the executive branches of the two sides even while the START process is stalled in the Duma and the Senate.

The recent report on nuclear weapons policy by the Committee on International Security and Arms Control of the U.S. National Academy of Sciences has outlined some of the fundamental issues that face both countries in considering the immediate future of their nuclear weapons. Among the issues they raise are:

1. Despite the reduction in tensions between the two sides, the basic structure of the plans they developed during the Cold War for the use of nuclear weapons remain unchanged. Both sides continue to emphasize large, early (launch-on-warning) counterforce strategic strikes as a response to a perceived nuclear attack by the other. Despite major reductions in numbers of strategic missiles and alert levels (including the Clinton-Yeltsin de-alerting agreement), both sides can bring their nuclear forces quickly to full readiness for use and cause catastrophic damage to the other side by authorized decision, error (e.g., by false warning of attack) or accident (e.g., by technical failure). START II, even if implemented, would not change these conclusions.

2. Both sides now have policies authorizing first use of nuclear weapons as "weapons of last resort" against conventional, biological, or chemical attack despite their promises to non-nuclear-weapon parties to the Non-Proliferation Treaty not to attack them with nuclear weapons. By contrast, in the Academy Committee's view, nuclear weapons should be limited to their "core function" of simply deterring nuclear attack or coercion by threat of nuclear attack. In this view, both sides should move toward "no-first-use" policies.

3. Continued movement by Russia and the United States to reduce their nuclear arsenals, and to limit the roles assigned to those nuclear arsenals, is needed not only to improve the security of Russia and the United States but also to help bring other declared and undeclared nuclear-weapon powers into the nuclear arms reduction process and to keep the global non-proliferation regime together.⁵¹

To this list could be added other questions such as the role of ballistic missile defenses in the post-Cold War relationship between the two countries, and also the possibility of moving beyond deterrence to a different kind of nuclear relationship.

The improvement in U.S.-Russian relations since the end of the Cold War makes it possible to have a much closer and more detailed strategic dialogue between the two countries. The slowdown in approving arms control treaties makes it essential to have more intensive consultations to provide the basis for RUMs and informal agreements.

First, the improved relationship may have opened the way to a genuine dialogue on doctrines such as launch on warning and first use, on more effective measures for de-alerting and deactivating strategic forces, on further reductions—and on how the other side might reciprocate to a particular decision by the initiator. For the first time since the beginning of the nuclear age, there may be an opportunity to arrive, through serious analysis and discussion, at a common understanding of the U.S.-Russian nuclear relationship.

Second, this would likely mean much greater participation than in the past by military experts. There have been significant military-to-military arms control talks in the past, and military experts have served repeatedly on arms control treaty negotiating delegations. But discussions of the kind that we propose do not ordinarily occur between military members of arms control delegations and, so far as we know, have rarely taken place between senior American and Russian military officials.

Third, if the legislative logjam is not broken, the two sides could try to move ahead with incremental steps using RUMs and informal written agreements—until they have a better idea of where they are going and whether their legislatures are prepared to approve their plans. Then their steps could be codified in treaties and made obligatory and

⁵¹ National Academy, *The Future of U.S. Nuclear Weapons Policy*, pp.1-2, 11-32, 58-84.

permanent—with the approval of their legislatures.