

Why the U.S. should abandon the ABM Treaty

by Kathleen Klenetsky

Over the past weeks, a factional brawl has broken out within the Reagan administration over the question of the proper interpretation of the 1972 ABM Treaty.

The fight pits supporters of the Strategic Defense Initiative (SDI), who believe national security urgently requires the development of a defensive shield, against a faction led by Secretary of State George Shultz, which, in the spirit of Metternichean balance-of-power politics, is more than willing to sacrifice SDI to strike a "New Yalta" deal with Moscow.

The pro-SDI faction, headed by Secretary of Defense Caspar Weinberger, argues that the United States must adopt a broader reading of the ABM treaty. Their foes demand a "restrictive interpretation" limiting SDI.

Underlying all the legalistic arguments is the real question: Will the United States continue to be bound by a treaty which the Soviets have made a dead letter through blatant violations of its major provisions? Or will it drop the ridiculous restraints—including ones not even mentioned in the treaty itself—which have so restricted anti-missile defense that the Soviets are now way ahead of the West in this crucial area?

As *EIR* has argued since Reagan first unveiled the SDI in March 1983, the so-called "broad interpretation" of the treaty is the only permissible reading.

There are two major factors which must be considered in the debate over the treaty. The first is whether it still holds any legal force. That's not a spurious issue. The treaty states that unless it is quickly followed by negotiations leading to significant cuts in offensive nuclear arsenals, the United States retains the right to withdraw from it. It was on the basis of this provision, contained in a "Unilateral Statement" appended to the treaty by U.S. negotiator Gerard Smith, that the treaty was ratified by the Senate (see *Documentation*).

Yet, as Weinberger and SDI director Gen. Abrahamson

have stressed repeatedly, instead of a decrease in the superpowers' nuclear arsenals, the post-ABM era witnessed an unprecedented Soviet offensive buildup. The implication is clear: The treaty has already been abrogated by the failure to achieve offensive arms reductions. On Oct. 22, Weinberger threw more fuel on the fire when he announced that the Soviets are deploying a new ICBM, the SS-25, which "violates the Salt II agreement that permits development of only one new type of ICBM." SS-25 deployment is part of an escalating pattern of Soviet violations of arms treaties, including the ABM accord, which, Weinberger charged, "shows that arms control has hardly been a raving success."

The other key consideration is what the ABM treaty actually allows, and what it prohibits. It is evident from the treaty's language that its restrictions apply only to ABM technologies existing at the time it was negotiated, specifically, ABM interceptor missiles, ABM launchers, and ABM radars.

In addition, the treaty includes a section known as "Agreed Statement D." This section, which has been at the nub of the debate, asserts that in the event ABM technologies based on "other physical principles" are "created in the future," limitations on them would be subject to discussion between the treaty signators.

While the arms-control mafia now claims that Agreed Statement D proscribes all testing and development of new defensive technologies, Gerard Smith himself testified the opposite in Senate Armed Service Committee hearings in June 1972.: "Work in that direction is not prohibited."

Agreed Statement D was inserted into the treaty at Moscow's insistence, a fact recalled by a key member of the treaty negotiating team, Reagan arms adviser Paul Nitze. Nitze disclosed Oct. 23 that it was the Soviets—not the United States, and despite U.S. opposition—who insisted that the treaty contain language which would expressly per-

mit the development of new defensive technologies. The United States tried hard to close the door on all new defensive weapons, said Nitze, but the Soviets "would not agree to that."

Similar testimony comes from the Russians themselves: In 1972, Minister of Defense Marshal Grechko told the Soviet Presidium that the ABM accord "places no limitations whatsoever on the conducting of research and experimental work directed towards solving the problem of defending the country from nuclear missile strikes."

Shultz vs. SDI

These are the issues at the center of the raging dispute which first surfaced publicly when McFarlane stated on national television Oct. 6 that the administration had decided to adopt a broader reading of the ABM treaty. Citing Agreed Statement D, he declared that research, development, and testing of defensive technologies based on "other physical principles" is permitted by the accord.

McFarlane's announcement was part of an intense campaign by the pro-SDI grouping to make a case for a "break-out" from the treaty. Whether Weinberger et al. intend to follow this up with a restructured and accelerated SDI program is not known. But it has been coupled with recent statements by Weinberger, Abrahamson, and others blasting Soviet violations of the ABM and other treaties, and documenting the Russians' offensive and defensive buildup.

McFarlane made his disclosure following an Oct. 4 meeting of the Special Arms Control Policy Group, at which the results of a new Pentagon study of the treaty negotiating record were discussed. The study concluded that the ABM Treaty does indeed allow for research, testing, and development of all kinds of ABM technologies based on "other physical principles."

State Department representatives, including Nitze, attended the meeting, but did not object to the new reading. But when McFarlane went public with the new reading, Shultz threw a fit. Working with West German Foreign Secretary Hans-Dietrich Genscher and other European foes of the SDI, Shultz and his underlings (including, according to Senate sources, Ambassador to Bonn Richard Burt and Assistant Secretary of State Rozanne Ridgway), orchestrated a wave of letters from such leaders as Prime Minister Thatcher and Chancellor Kohl vehemently objecting to the McFarlane interpretation.

An irate Shultz confronted Reagan with these letters on Oct. 11. Later that day, at a meeting with Shultz, Weinberger, McFarlane, and several other top advisers, the President decided to compromise. As expressed by Shultz, Nitze, and other administration officials, the compromise position acknowledges that the broad interpretation of the treaty is "fully justified," but that it is a "moot point," because the SDI program itself will continue to be structured to comply with a restrictive interpretation of the treaty.

Not surprisingly, the Soviets, too, leaped into the fray.

Soviet Army Chief of Staff Marshal Sergei Akhromeyev, in an article published in the Oct. 18 *Pravda*, called McFarlane's reading a "deliberate deceit," and accused the United States of "distorting the essence" of the agreement. "The treaty absolutely unambiguously bans the development, testing, and deployment of ABM systems regardless of whether these systems are based on existing or future technologies," lied Akhromeyev, who then warned that if the SDI is continued, "nothing will remain for us but to adopt countermeasures in the field of both offensive and other armaments, not excluding defensive ones, and including those based in outer space."

A moral issue

While Reagan has indeed compromised on the issue, there are numerous indications that it could be a very temporary compromise, indeed. For instance, Assistant Defense Secretary Perle told reporters Oct. 16 the restrictive interpretation of the treaty advocated by Shultz was "erroneous," and that "the one correct view" of the treaty would allow testing and development of advanced SDI technologies. "One could in fact, make the case" that even deployment was permitted, Perle said.

The President himself continues to argue eloquently for the SDI, most recently in his Oct. 25 speech to the United Nations, in which he made clear he is committed to testing of new systems: "The ballistic missile is the most awesome, threatening, and destructive weapon in the history of man," he said. "Ultimately we must remove this menace from the face of the Earth. . . . Until that day, the United States seeks to escape the prison of mutual terror by research and testing that could, in time, enable us to neutralize the threat of these ballistic missiles and, ultimately, render them obsolete. . . ."

Reagan also quoted from a 1967 statement by then-Soviet Premier Aleksei Kosygin stoutly supporting defensive systems. Kosygin had said, "Maybe an anti-missile system is more expensive than an offensive system [not true—ed.], but it is designed not to kill people but to preserve human lives."

A few days earlier, Weinberger had made an equally impassioned plea for the SDI in a speech to a conference on morality and strategic defense sponsored by the Ethics and Public Policy Center in Washington. Weinberger stressed: "In the actual conduct of war, moral issues do play an important, sometimes decisive, role—at least in those nations that believe in the existence of things beyond the merely material. And it is surely proper that the strategic, technical, and political aspects of SDI, or any defense system, be subject to vigorous debate. But does it not strike you as odd that the very idea of defending oneself, and defending one's notion of the good, should cause an ethical dilemma?"

"It would seem to me that in a nation based on the idea of inalienable rights, the obligation to defend the idea that all men are created equal would be simply unquestionable."