

# **POLICY**

**The Reinterpretation**

# **VERSUS**

**of the ABM Treaty**

# **THE LAW**

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**Raymond L. Garthoff**

# Policy Versus The Law The Reinterpretation Of The Abm Treaty

**Lawrence Freedman, Jeffrey Michaels**



## **Policy Versus The Law The Reinterpretation Of The Abm Treaty:**

**Policy Versus the Law** Raymond L. Garthoff, 1987 While congressional hearings on the Iran Contra dealings have spotlighted one case of conflict between perceived policy imperatives and the law another has gone relatively unnoticed Of no less importance in political international diplomatic and constitutional terms is the Reagan administration's attempt to reinterpret the Antiballistic Missile Treaty to allow more leeway for its Strategic Defense Initiative SDI This reinterpretation poses a comparable issue of policy versus the law Signed and ratified in 1972 the ABM Treaty bans the development and testing as well as deployment of space based and other mobile ABM systems or essential components The administration citing the treaty itself and the record of its negotiation has claimed that the ban does not apply to systems based on new technologies

**The Law of Armed Conflict and the Use of Force** Frauke Lachenmann, Rüdiger Wolfrum, 2017 This volume collects articles on the law of armed conflict and the use of force from the Max Planck Encyclopedia of Public International Law to facilitate easy access to content from the leading reference work in international law

**The Missile Defense Systems of George W. Bush** Richard Dean Burns, 2010-09-02 This volume reviews the debates surrounding the anti ballistic missile ABM defense systems and their deployment by George W Bush allowing readers to assess for themselves the significance of Bush's decisions The Missile Defense Systems of George W Bush A Critical Assessment asks and answers a number of pressing questions about Bush's decision to deploy ground based missiles Has the system become reliable If not what are the prospects for it to become effective What have the fiscal costs been What was the political impact of efforts to expand ABM systems to Europe This is the only major book that brings together all of the factors historical and current to allow readers to assess President Bush's decisions for themselves Opening with an extensive history of missile defense the book analyzes Bush's efforts to establish ground based missiles in Eastern Europe as well as the impact of his decisions Both the administration's policies and evaluations and those of critical observers are presented President Obama's program for missile defense is reviewed as well A final chapter evaluates the technical progress of the various ABM systems and weighs the political dimensions of the deployment decision and the cost of the undertaking to date

**Johnson, McNamara, and the Birth of SALT and the ABM Treaty 1963-1969** John M. Clearwater, 1996-12 The purpose of this book is to examine the birth of bilateral strategic arms control between the United States and the Soviet Union during the Johnson Administration from 1964 to 1969 It is about the time and the place of the birth of bilateral strategic arms control as it came about in the United States through the efforts of President Lyndon Johnson and Secretary of Defense Robert McNamara in the 1960s This is the time of the birth of what quickly came to be known as SALT or the Strategic Arms Limitation Talks This inquiry firstly considers whether the move towards bilateral strategic arms control was institutional or personal It then looks for the motivating factors both theoretical and substantive As few things have only a single cause it is likely that we shall find that the birth of strategic arms control was influenced by both nuclear weapons employment theory and by a substantive

incident or reality such as the ever increasing number and sophistication of nuclear weaponry Lastly we must look for an immediate precipitating factor such as the move towards deployment of a potentially destabilizing ABM system by both the USA and USSR Therefore it must be borne in mind when examining the people and their theories the institutions the prevailing realities and major precipitating factors that they all come together to form the basis for the birth of bilateral strategic arms control This book shall therefore strive to reveal the extent of personal input the objective basis for that personal commitment and examine the major precipitating factors namely Anti Ballistic Missiles ABM and to a lesser extent Multiple Independently Targeted Re Entry Vehicles MIRV Although barely discussed at the time the MIRV would turn out to be a major arms control problem far greater than the hotly contested ABM system which spurred so many debates The unique aspect of this research is that other writers have concentrated almost totally on the people and events surrounding the Nixon Administration when studying SALT While it is true that the talks did not get underway during the Johnson years this study will show that all of the theoretical and preparatory work was done in the Johnson years and conclude by showing that many of the same people appear in the Nixon years Without the input of McNamara and his team there would have been no movement on strategic arms control until possibly the 1970s To add to the historical value of the work I have included in the annexes complete texts of the initial arms control proposal which the US team was to present to the Soviet Union in the autumn of 1968 In addition presented here for the very first time are the full instructions to the negotiating team and the initial presentation paper to be read by the team leader on the opening day of the talks When this final material is tied in with the history of the push for the talks the story is indeed exciting and meaningful For the first time we are presented with the almost complete picture of the formulation of an arms control proposal There is of course a fluke of history which brought this all to light As the Johnson material was never directly used in the formal SALT talks it was not subject to the same stringent security classifications as those of Nixon Ford Carter Reagan Bush and Clinton materials Therefore the documents started to be declassified in the late 1980s with the bulk coming to light in 1991 through 1994 Here then is the story of the origins of strategic arms control

**Assessing the Biological Weapons and Bioterrorism Threat ,      The National Security Constitution in the Twenty-First Century** Harold Hongju Koh, 2024-06-25 A deeply researched fully updated edition of The National Security Constitution that explores the growing imbalance of institutional powers in American foreign affairs and national security policy Since the beginning of the American Republic a package of norms has evolved in the U S Constitution to protect the operation of checks and balances in national security policy This National Security Constitution promotes shared powers and balanced institutional participation in foreign policymaking Today it is under attack from a competing claim of executive unilateralism generated by recurrent patterns of presidential activism congressional passivity and judicial tolerance This dynamic has pushed presidents of both parties to press the limits of law in foreign affairs In his award winning National Security Constitution 1990 Harold Hongju Koh traced the evolution of this constitutional struggle

across America's history This new book based on the earlier volume but with roughly 70 percent new material brings the story to the present placing recent events into constitutional perspective Reviewing the presidencies of the twenty first century he explains why modern national security threats have given presidents of both parties incentives to monopolize foreign policy decision making Congress incentives to defer and the courts reasons to rubber stamp Koh suggests both a workable strategy and crucial prescriptions to restore the balance of our constitutional order in addressing modern global crises

**Assessing the Biological Weapons and Bioterrorism Threat** Milton Leitenberg, 2005 It is nearly 15 years since biological weapons BW have become a significant national security preoccupation The events of September 11 2001 although not in any way related to BW combined with the distribution of professionally prepared anthrax spores through the U S postal system in the weeks afterwards magnified previous concerns by orders of magnitude Official Accountability Act United States. Congress. House. Committee on the Judiciary. Subcommittee on Criminal Justice, 1989

**A Shield in Space?** Sanford Lakoff, Herbert F. York, 2023-04-28 This title is part of UC Press's Voices Revived program which commemorates University of California Press's mission to seek out and cultivate the brightest minds and give them voice reach and impact Drawing on a backlist dating to 1893 Voices Revived makes high quality peer reviewed scholarship accessible once again using print on demand technology This title was originally published in 1989

*International Relations Theory and the End of the Cold War* Richard Ned Lebow, Thomas Risse-Kappen, 1995 This controversial set of essays evaluates and extends international relations theory in light of the revolutionary events of past years The contributors demonstrate how theoretical constructs did not anticipate Soviet foreign policies that led to the end of the Cold War

**A Global History of the Nuclear Arms Race** Richard Dean Burns, Joseph M. Siracusa, 2013-04-23 Written by two preeminent authors in the field this book provides an accessible global narrative of the nuclear arms race since 1945 that focuses on the roles of key scientists military chiefs and political leaders The first book of its kind to provide a global perspective of the arms race this two volume work connects episodes worldwide involving nuclear weapons in a comprehensive narrative fashion Beginning with a discussion of the scientific research of the 1930s and 1940s and the Hiroshima decision the authors focus on five basic themes political dimensions technological developments military and diplomatic strategies and impact The history of the international nuclear arms race is examined within the context of four historical eras America's nuclear monopoly America's nuclear superiority superpower parity and the post Cold War era Information about the historical development of the independent deterrence of Britain France and China as well as the piecemeal deterrence of newcomers Israel India Pakistan and North Korea is also included as is coverage of the efforts aimed at the international control of nuclear weapons and the diplomatic architecture that underpins the global nuclear non proliferation regime

**Way Out There In the Blue** Frances FitzGerald, 2001-02-21 Way Out There in the Blue is a major work of history by the Pulitzer Prize winning author of Fire in the Lake Using the Star Wars missile defense program as a magnifying glass on his presidency

Frances FitzGerald gives us a wholly original portrait of Ronald Reagan the most puzzling president of the last half of the twentieth century Reagan s presidency and the man himself have always been difficult to fathom His influence was enormous and the few powerful ideas he espoused remain with us still yet he seemed nothing more than a charming simple minded inattentive actor FitzGerald shows us a Reagan far more complex than the man we thought we knew A master of the American language and of self presentation the greatest storyteller ever to occupy the Oval Office Reagan created a compelling public persona that bore little relationship to himself The real Ronald Reagan the Reagan who emerges from FitzGerald s book was a gifted politician with a deep understanding of the American national psyche and at the same time an executive almost totally disengaged from the policies of his administration and from the people who surrounded him The idea that America should have an impregnable shield against nuclear weapons was Reagan s invention His famous Star Wars speech in which he promised us such a shield and called upon scientists to produce it gave rise to the Strategic Defense Initiative Reagan used his sure understanding of American mythology history and politics to persuade the country that a perfect defense against Soviet nuclear weapons would be possible even though the technology did not exist and was not remotely feasible His idea turned into a multibillion dollar research program SDI played a central role in U S Soviet relations at a crucial juncture in the Cold War and in a different form it survives to this day Drawing on prodigious research including interviews with the participants FitzGerald offers new insights into American foreign policy in the Reagan era She gives us revealing portraits of major players in Reagan s administration including George Shultz Caspar Weinberger Donald Regan and Paul Nitze and she provides a radically new view of what happened at the Reagan Gorbachev summits in Geneva Reykjavik Washington and Moscow FitzGerald describes the fierce battles among Reagan s advisers and the frightening increase of Cold War tensions during Reagan s first term She shows how the president who presided over the greatest peacetime military buildup came to espouse the elimination of nuclear weapons and how the man who insisted that the Soviet Union was an evil empire came to embrace the Soviet leader Mikhail Gorbachev and to proclaim an end to the Cold War long before most in Washington understood that it had ended Way Out There in the Blue is a ground breaking history of the American side of the end of the Cold War Both appalling and funny it is a black comedy in which Reagan playing the role he wrote for himself is the hero

Contending Approaches in Disarmament and the Future of Nuclear Non-Proliferation  
Annabel Hertz,1993

**The Evolution of Nuclear Strategy** Lawrence Freedman,Jeffrey Michaels,2019-07-31 The Evolution of Nuclear Strategy quickly established itself as a classic when it first appeared in 1981 This edition makes it even better incorporating as it does new material about the Cold War and up dating to include subsequent developments Filled with insights and penetrating analysis this volume is truly indispensable Robert Jervis Author of How Statesmen Think Freedman and Michaels have written a thorough and thought provoking guide to nuclear strategy The authors analyze the causes of both wise and unwise strategic decisions in the past and thereby shine a bright light on dilemmas we face in our

common nuclear future Scott Sagan Stanford University USA With its comprehensive coverage clear and direct language and judicious summaries of a vast literature this new and wholly revised edition of *The Evolution of Nuclear Strategy* will be essential reading for any student of nuclear history strategic studies or contemporary international relations Matthew Jones London School of Economics and Political Science UK Sir Lawrence Freedman's *The Evolution of Nuclear Strategy* has been the first port of call for three generations of academics and policy makers wanting to familiarize themselves with the subject matter The success of this book could have led Professor Freedman to satisfy himself with regular updates or afterwords But the tireless author is now gracing us with an entirely revised edition of his masterpiece nearly forty years after its initial publication taking into account findings from archives and declassified documents At the same time *The Evolution of Nuclear Strategy* remains true to its original purpose and spirit an easy to read manual light with footnotes focusing on policy rather than on theory and thus the best possible introduction to an arcane subject In an era when nuclear strategy issues seem to be becoming relevant again its historical scope and breadth will make its reading or re-reading even more useful if only because knowing about the absurdity of the Cold War arms race is a prerequisite if one does not want to repeat its mistakes Bruno Tertrais Deputy Director Fondation pour la Recherche Stratégique France This updated and improved edition of the classic text on the evolution of nuclear strategy is a must read for anyone attempting to understand the nuclear predicament and where it is heading Impressive in every respect T V Paul James McGill Professor of International Relations McGill University Canada and the author of *The Tradition of Non Use of Nuclear Weapons* After the end of the Cold War we hoped for a world in which nuclear weapons would have low salience or might even disappear into virtual non-assembled arsenals Alas they are coming to the fore again With changes in political context and technology it is thus pressing that the Bible on the Evolution of Nuclear Strategy should be updated Lawrence Freedman's great classic has been admirably updated with the help of Jeff Michaels The work just as its previous editions thus remains the definitive and authoritative point of reference on nuclear strategy in the twenty-first century Beatrice Heuser Chair of International Relations University of Glasgow Scotland First published in 1981 Lawrence Freedman's *The Evolution of Nuclear Strategy* was immediately acclaimed as the standard work on the history of attempts to cope militarily and politically with the terrible destructive power of nuclear weapons It has now been completely rewritten drawing on a wide range of new research and updated to take account of the period following the end of the cold war and covering all nuclear powers

[A Journey through the Cold War](#) Raymond L. Garthoff, 2004-06-23 In this memoir Ambassador Ray Garthoff paints a dynamic diplomatic history of the cold war tracing the life of the conflict from the vantage points of an observant insider His intellectually formative years coincided with the earliest days of the cold war and during his forty-year career Garthoff participated in some of the most important policymaking of the twentieth century In the late 1950s he carried out pioneering research on Soviet military affairs at the Rand Corporation During his four-year tenure at the CIA 1957-61 in addition to drafting national intelligence estimates Garthoff made trips to the Soviet Union

with Vice President Richard Nixon and as an interpreter for a delegation from the Atomic Energy Commission As a special assistant in the State Department Garthoff worked with Secretary Dean Rusk and he was directly involved in the Cuban missile crisis of 1962 Later he served as executive officer and senior State Department adviser for the strategic arms limitation talks SALT delegation In the 1970s he served as a senior Foreign Service inspector leading missions to a number of countries around the globe As U S Ambassador to Bulgaria 1977-79 Garthoff gained first hand knowledge of the workings of a communist state and of the Soviet bloc In the 1980s Garthoff wrote two major studies of American Soviet relations He traveled to the Soviet Union nearly a dozen times in the final decade of the cold war and in the early 1990s he had access to the former Soviet Communist Party archives in Moscow Garthoff's journey through the Cold War informs the views positions and actions of the past His anecdotes and observations will be of great value to those anticipating the challenges of reevaluating American post cold war security policy

**Review of ABM Treaty Interpretation Dispute and SDI** United States. Congress. House. Committee on Foreign Affairs. Subcommittee on Arms Control, International Security, and Science, 1987

*Trusting Enemies* Nicholas J. Wheeler, 2018-03-09 How can two states with enemy relations transform their relationship Nicholas Wheeler argues that the discipline of International Relations has not done a good job of answering this question because its focus has been on the state and the individual levels of analysis In this ground breaking book he argues for the importance of a new level of analysis in trust research the interpersonal relationships between state leaders In doing so he makes two key contributions Firstly developing a new theory of interpersonal trust that can be applied to the international level and secondly showing how this theory contributes to the literature on signalling in IR The theory of interpersonal trust developed in the book provides a novel response to the central problem identified by signalling theory in IR whether the receivers of signals interpret them in the way intended by their senders The author argues that in fact trust between two leaders is causally prior to the accurate interpretation of the signals they send with the aim of communicating peaceful intent Trust therefore does away with the problem of the ambiguity of signal interpretation He goes on to examine exactly how a new relationship of trust emerges between two leaders who represent states with enemy relations through face to face interaction and the crucial process of bonding between them that this makes possible This powerful new theory of interpersonal trust is applied to three cases the personal interactions between US and Soviet leaders Ronald Reagan and Mikhail Gorbachev in ending the Cold War the face to face interactions between Indian Prime Minister Atal Bihari Vajpayee and Pakistani Prime Minister Nawaz Sharif in reducing conflict between India and Pakistan in 1998-1999 and the interactions in 2009-10 between Barack Obama and Ayatollah Ali Khamenei that failed to achieve a breakthrough in US Iran nuclear relations

**Congress and Foreign Policy**, 1987 Security and Environment in the Mediterranean Hans Günter Brauch, Peter H. Liotta, Antonio Marquina, Paul F. Rogers, Mohammad El-Sayed Selim, 2012-12-06 In this volume security specialists peace researchers environmental scholars demographers as well as climate desertification water food and



urbanisation specialists from the Middle East and North Africa Europe and North America review security and conflict prevention in the Mediterranean They also analyse NATO s Mediterranean security dialogue and offer conceptualisations on security and perceptions of security challenges as seen in North and South The latter half of the book analyses environmental security and conflicts in the Mediterranean and environmental consequences of World War II the Gulf War the Balkan wars and the Middle East conflict It also examines factors of global environmental change population growth climate change desertification water scarcity food and urbanisation issues as well as natural disasters Furthermore it draws conceptual conclusions for a fourth phase of research on human and environmental security and peace as well as policy conclusions for cooperation and partnership in the Mediterranean in the 21st century

**Western Perceptions Of Soviet Goals** Klaus Gottstein, 2020-01-23 This study investigates Western views on the potential future developments in the U S S R It traces the facts figures fears and ideological prejudices that have contributed to the mutual mistrust between the East and the West over long range political goals and recommends ways of reducing it

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