

国際武器移転史 第8号 2019年7月

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明治大学国際武器移転史研究所編

『国際武器移転史』第8号の刊行によせて

横井 勝彦

国際武器移転史研究所長

『国際武器移転史』第8号をお届け致します。

国際武器移転史研究所は、2015年度より明治大学研究クラスターとして活動を続けてきましたが、2018年8月1日に特別推進研究インスティテュートに選定されました。そして、その直後（同月18日）には「武器貿易条約（ATT）第4回締約国会議直前シンポジウムー世界の武器移転をめぐる理想と現実ー」を明大で開催し、国内外の研究・実務の第一線で活躍する専門家が集結しました。今回の『国際武器移転史』第8号に掲載されている冒頭の英語論文（Enomoto, Holtom, Austero and Gorospe, Marsh の各氏による4編）は、いずれもそこでの報告を基礎に、2019年開催のATT第5回締約国会議に向けてアップデートした論稿であります。

続いて昨年11月には、国際セミナー「冷戦期国際航空研究の新動向ー脱植民地化とジェンダーの観点からー」を開催しました。世界各国の航空機産業と航空産業に注目して、両大戦間における軍民両用技術のアジア・南米への移転の連鎖とそれを背景とした大衆航空文化拡大の世界史的意味を追究しました。本誌に掲載している Tiemeyer と Zaidi の英語論文2編は、そこでの議論を踏まえて新たに寄稿してくれたものです。

今回は日本語論文を2編掲載することができました。どちらも従来の研究では触れられることのなかった新たな領域に踏み込んだ意欲的な論稿です。額額論文は、第二次大戦以前の日本の武器輸出政策と軍需産業民営化との関連ならびに武器輸出商社泰平組合と昭和通商の活動に注目しております。小風論文は、400隻に及ぶ軍艦データベースの統計分析を通して、イギリスの海軍費（1850～1930年）において旧式艦売却費の占めた割合とイギリス海軍における旧式艦処分の全体像の解明を試みております。

最後に、本号では脇村氏による書評を掲載することができました。書評対象文献は「欧米の対アジア開発援助」をテーマとした共同研究の成果ですが、本研究所でも「アジア諸国の軍事的自立化と国際軍事援助」を研究プロジェクトの一つとしており、脇村氏の書評はいくつもの示唆を与えてくれています。

第8号の刊行に際しても、多くの方々に大変お世話になりました。改めて厚くお礼申し上げますと共に、引き続き皆さまの積極的な投稿をお待ちしております。

2018年7月23日

本誌は「文部科学省私立大学戦略的研究基盤形成支援事業（2015～2019年度）」に依拠しています。

History of Arms Transfer Control and Challenges Facing the Arms Trade Treaty[†]

By TAMARA ENOMOTO*

Since the 1990s, there has been a proliferation of initiatives to create regional and global instruments establishing common criteria for assessing arms transfer licenses. These activities culminated in 2013 with the adoption of the Arms Trade Treaty (ATT). A Conference of States Parties to the ATT has been held annually since 2015, the fourth of which was held in Tokyo from 20 to 24 August 2018. As the introductory article of a collection of four articles based on presentations at the international symposium on 18 August 2018, at the Meiji University Research Institute for the History of Global Arms Transfer (RIHGAT) in Tokyo, this article aims to sketch the history of arms transfer control and to briefly introduce the challenges facing the ATT. The following three articles address those challenges further; all four articles have been updated in the past year. The collection aims to provide the bases for policy debates ahead of the Fifth Conference of States Parties to the ATT, to be held from 26 to 30 August 2019 in Switzerland.

From the 1990s to the present, many initiatives aimed at developing measures to control conventional arms at the national, regional, and global levels have been developed. From transfer control and marking mechanisms to security sector reform and disarmament, demobilization and reintegration, myriad measures have flourished addressing the uncontrolled circulation and misuse of conventional arms. Among them were efforts to agree to a legally binding document establishing common criteria for assessing arms transfer licences. The efforts culminated in 2013 with the adoption of the Arms Trade Treaty (ATT).¹ At the time of this writing,² there are currently 102 States Parties to the ATT.³ The Conferences of States Parties (CSPs) to the ATT have been held annually since 2015; the Fourth Conference of States Parties (CSP4) was held in Tokyo, Japan, from 20 to

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¹ The ATT was adopted on 2 April 2013 by resolution 67/234B during the sixty-seventh session of the General Assembly of the United Nations (UNGA). See UNGA, A/RES/67/234 B. It states that the General Assembly adopts 'the Arms Trade Treaty as contained in the annex to document A/CONF.217/2013/L.3'. During the Final United Nations Conference on the Arms Trade Treaty (18-28 March 2013), the President of the Conference proposed for adoption a draft decision (UNGA, A/CONF.217/2013/L.3) to which a draft text of the ATT was annexed, but it was not adopted during the Conference.

² 12 May 2019.

³ United Nations Treaty Collection, as of 12-05-2019 07:48:57 EDT, chapter XXVI disarmament, Arms Trade Treaty. https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&mtdsg_no=XXVI-8&chapter=26&clang=_en (Last accessed on 12 May 2019).

24 August 2018. Presided by Ambassador Nobushige Takamizawa of Japan, CSP4 provided opportunities for Japanese and overseas academics and practitioners to share knowledge and discuss the challenges facing the ATT.

The Meiji University Research Institute for the History of Global Arms Transfer (RIHGAT) seized this opportunity to hold an international symposium entitled ‘Symposium Ahead of the Fourth Conference of States Parties to the Arms Trade Treaty: Reflecting on a Vision Against the Reality of Arms Transfers in the World’, at the Surugadai Campus, Meiji University, Tokyo, Japan, on 18 August 2018, two days prior to the opening of the CSP4. The symposium aimed to create a platform for academics from different fields (history, arms control, and international law) and stakeholders (government officials, civil society, industry, etc.) to discuss and share the history of arms transfer control and the challenges facing the ATT. It further aimed to create an opportunity to disseminate information about the ATT and arms transfer control by engaging the media and academia to help raise public awareness. Despite being held in the middle of summer vacation, it was attended by some 180 participants, including academics, students, journalists, diplomats, members of non-governmental organizations (NGOs) and staff members of Japanese arms manufacturers.

This collection of articles is based on the presentations of many speakers at that symposium. It has been updated and refined to provide bases for policy debates ahead of the upcoming Fifth Conference of States Parties (CSP5) to the ATT. As the introduction of the collection, this article sketches the history of arms transfer control and introduces the following three articles.⁴

I

Before introducing post-Cold War initiatives on the regulation of arms transfers and the current challenges facing the ATT, this section gives an overview of international policy debate on arms transfer control from the late nineteenth century to the Cold War period.⁵

The first multilateral agreement adopted by most of the great powers to control arms transfers after the formation of the sovereign-state system was the 1890 Brussels Act.⁶ The Brussels Act, formally titled the General Act of the Brussels Conference Relative to the African Slave Trade, prohibited the transfer of firearms and ammunition to much of the African continent,⁷ into which a substantial number of European-made arms had flooded.⁸ As the formal name of this treaty indicates, the main subject of the conference was the slave trade from Africa to other parts of the world, especially to the Arab world.⁹

In policy debates leading up to the adoption of this treaty, African people were seen as ‘barbaric’ contributors to the slave trade who were unable and unqualified to further the collective social good. Their acts of violence or resistance against the colonizers—the ‘civilized states’—were regarded as irrational, illegitimate, and backward acts of nonsense

⁴ The analysis and opinions contained in this article reflect solely those of the author, and any errors and omissions in this article are the author’s.

⁵ This and the following sections are largely based on the author’s previous work. See Enomoto, ‘Controlling’.

⁶ General Act of the Brussels Conference Relative to the African Slave Trade, 2 July 1890.

⁷ Article 8 of the Brussels Act states as follows: ‘The importation of firearms, and especially of rifles and improved weapons, as well as of powder, ball and cartridges, is ... prohibited in the territories comprised between the 20th parallel of North latitude and the 22d parallel of South latitude, and extending westward to the Atlantic Ocean and eastward to the Indian Ocean and its dependencies, including the islands adjacent to the coast within 100 nautical miles from the shore’.

⁸ Atmore, Chirenje, and Mudenge, ‘Firearms’; Beachey, ‘The arms trade’; Guy, ‘A note’.

⁹ Berlioux, *Slave trade*, pp. 1, 3-4, 72-3, 75-6; Clarke, *Cardinal Lavigerie*, pp. 246-9, 250-2, 254, 332-4, 344; Pasha, *Seven years*, pp. 84-5.

that rejected the benefits of civilization.¹⁰ Moreover, the wars between African groups were considered a source of humanitarian catastrophe and slave hunting.¹¹ Therefore, the prohibition of arms transfers to such 'backward' people was seen as necessary to stop their 'barbaric' infighting and slave hunting, and to 'bring the benefits of civilization to them under the protection of the civilized states'.¹² The prevailing doctrine at the time of the Brussels Act was the sovereign right of a state to determine for itself whether and when to resort to war.¹³ From the latter half of the eighteenth century, the ultimate prerogative of a state to wage war came to be regarded as a legitimate and fundamental element of state sovereignty. As such, arms transfers to state actors, or 'civilized sovereign states', were largely considered legitimate, unless they were potential or actual enemies of the exporting state. At the same time, the *laissez-faire* policy of minimum governmental interference in the economic affairs of individuals and society was prevalent in the late nineteenth century.¹⁴ Therefore, governments rarely sought to regulate arms production and transfers by private companies, except in times of war.¹⁵

The interwar period saw a series of negotiations aimed at creating a modified version of the Brussels Act. Joined by the newly independent small states, the Convention for the Control of the Trade in Arms and Ammunition was adopted in 1919,¹⁶ and the Convention for the Supervision of the International Trade in Arms and Ammunition and in Implements of War was adopted in 1925.¹⁷ These treaties literally became dead letters even before the ink was dry as a result of the unwillingness of many states to ratify them.¹⁸

The series of negotiations was led by the great powers, who insisted that it was the moral duty of 'civilized states' to prevent arms from falling into the hands of those who did not meet the 'standard of civilization' and who were, therefore, not entitled to sovereign equality.¹⁹ As a result, the great powers proposed a broader prohibited zone that included not only parts of Africa, but also Transcaucasia, Persian lands and/or waters, Gwadar, the Arabian Peninsula, and the continental regions of Asia that were part of the Turkish

¹⁰ Kurimoto, *Mikai no sensou*, p. 148.

¹¹ Berlioux, *Slave trade*, pp. 1, 76; Casati, *Ten years in Equatoria*, pp. 289, 291; Clarke, *Cardinal Lavigerie*, pp. 250-2, 254, 332-4, 344; Pasha, *Seven years*, pp. 84-5.

¹² Bain, *Between anarchy*, p. 68; Louis, 'Sir Percy Anderson's'; Matthews, 'Free trade'.

¹³ Joyner, *International law*, p. 163.

¹⁴ It should be borne in mind that European states generally sought to control the arms trade prior to the shift in the underlying economic ideology of trade from mercantilism to capitalism. Most of the previous control measures had been characterized by unilateral initiatives and had been designed to protect technological lead or to safeguard scarce weapons. See Krause, *Arms and the state*, pp. 37-48, 59-61; Krause and MacDonald, 'Regulating', pp. 708-11.

¹⁵ Krause and MacDonald, 'Regulating', pp. 711-2. Whether a neutral state could legitimately supply arms to belligerents of war was fiercely debated between the United Kingdom and the United States over the case of the Confederate commerce raider Alabama in the 1860s and 1870s. The case reaffirmed the prevailing principle of international law of the time that there was no general obligation of neutral states to prevent private arms transfers to belligerents of war. Several decades later, the Hague Convention (V) Respecting the Rights and Duties of Neutral Powers and Persons in Case of War on Land of 18 Oct. 1907 and the Hague Convention (XIII) Concerning the Rights and Duties of Neutral Powers in Naval War of 18 Oct. 1907 prohibited the supply of arms by a neutral state to a belligerent state, yet arms transfers by private suppliers were outside the scope of the prohibition. See Garcia-Mora, 'International law'; Stone, 'Imperialism', pp. 214-7.

¹⁶ Convention for the Control of the Trade in Arms and Ammunition, 10 Sept. 1919.

¹⁷ Convention for the Supervision of the International Trade in Arms and Ammunition and in Implements of War, 17 June 1925.

¹⁸ The treaty adopted in 1919 did not specify a fixed number of states to express their consent for its entry into force; instead, its Article 26 stated that it 'would come into force for each Signatory Power from the date of the deposit of its ratification'. Therefore, the treaty did enter into force for a small number of states which deposited their instruments of ratification, but it was widely seen as a dead letter by 1923, which prompted the next round of negotiation. See Stone, 'Imperialism', pp. 219-20.

¹⁹ *Ibid.*, p. 218.

Empire.

It is critical to recognize that these interwar treaties included some control over arms transfers between states, which had been entirely outside the scope of the 1890 Brussels Act. On both sides of the Atlantic, growing public outcry for regulation of the ‘merchants of death’²⁰ demanded efforts to control arms transfers,²¹ and the idea of war as legitimate violence between equal sovereign states was increasingly called into question. Thus, the treaties of this period included the prohibition of arms transfers, except those sanctioned by both the exporting and importing states.²² They also included reporting mechanisms for licensed arms exports and imports. Such measures could have placed the ‘merchants of death’ under some control by governments and could have also facilitated public scrutiny over authorized arms transfers.

However, the licensing and reporting measures were criticized by smaller arms-importing states, which saw them as infringements on their sovereignty and security. These critics claimed that licensing would put smaller importing states at the mercy of producers who might recognize a rebel group instead of the legitimate government of an importing state.²³ They also argued that publishing arms exports and imports meant that the armaments of importing states would be revealed, while the producing states would enjoy secrecy as to their armaments.²⁴ While these measures were included in the treaties at the insistence of the great powers, few importing states rushed to ratify them.²⁵

The decades following the end of the Second World War saw a shift in the framing of policy debates on arms transfers. As Robert Jackson argues, the game of international relations shifted after the Second World War from one based on positive sovereignty, or a demonstrated ability for effective self-governance and fulfilment of the ‘standard of civilization’, to a new game based on negative sovereignty—the formal legal entitlement to freedom from outside interference.²⁶ In the new rules of the game, the principles of sovereign equality and non-intervention were respected for all states, regardless of their empirical capabilities as organized political systems.²⁷

The new negative sovereignty norms were emphasized by states in the global south between the 1950s and 1970s, when western states sought to regulate international arms

²⁰ This expression refers to arms manufacturers and dealers who were accused of having instigated and perpetuated the First World War in order to maximize their profits from arms sales.

²¹ Anderson, ‘British rearmament’; Cortright, *Peace*, pp. 98–100; Harkavy, *The arms trade*, p. 215; Stone, ‘Imperialism’, p. 217.

²² Cortright, *Peace*, pp. 62–3. There were other sets of initiatives to control arms transfers to particular states during this period. For instance, the 1920s peace treaties with the defeated states (Germany, Austria, Hungary, Turkey, and Bulgaria) in the First World War imposed prohibition of imports and exports of arms on these states. There were also some unilateral and multilateral arms embargoes in specific conflicts, such as those in China in the 1910s and 1920s, and the Chaco war between Bolivia and Paraguay between 1932 and 1935. See Krause and MacDonald, ‘Regulating’, pp. 714, 720–722.

²³ Stone, ‘Imperialism’, p. 222–4.

²⁴ Stone, ‘Imperialism’, p. 226–8.

²⁵ The interwar negotiations did not yield any tangible agreement, yet they facilitated the institutionalization of peacetime licensing mechanisms for arms transfers in many of the great powers. See Stone, ‘Imperialism’; Krause and MacDonald, ‘Regulating’.

²⁶ Jackson, *Quasi-states*, pp. 25–29.

²⁷ For instance, the Declaration on the Granting of Independence to Colonial Countries and Peoples, adopted by the United Nations General Assembly (UNGA) in 1960, stated that all peoples have the right to self-determination and that inadequacies in political, economic, social, or educational preparedness should never serve as pretexts for delaying independence. The idea that the principles of sovereign equality and non-intervention, which had been formulated through the development of the sovereign-state system, should be respected for any state regardless of its conditions was strongly held by the newly independent states and was confirmed in UNGA resolutions in the 1960s and 1970s. See UNGA, A/RES/15/1514; UNGA, A/RES/20/2131; UNGA, A/RES/25/2625.

transfers, including transfers to states. At the UNGA, western states proposed resolutions to examine the matter of international arms transfers in order to consider the possibility of developing an international arms transfer registration and publicity system.²⁸ Malta, for example, submitted a draft UNGA resolution in 1965 which invited the Eighteen-Nation Committee on Disarmament to consider the question of arms transfers between states 'with a view to submitting to the General Assembly proposals for the establishment of a system of publicity through the United Nations'.²⁹ Malta argued for the need to address the problem of local arms races in the Third World, expressing concerns that they were hindering economic and social development by diverting scarce resources. It also stressed that an effective system of international arms transfer registration and publicity would build confidence among states.³⁰ Similar draft resolutions were proposed by Denmark, Ireland, Malta, and Norway in 1968,³¹ and again by eighteen states including Ireland, Denmark, Japan, and Norway in 1976.³² However, states in the global south generally criticized the proposals, insisting that they were based on discriminatory ideas against smaller arms-importing sovereign states and that they could be used as an instrument for 'the haves' to intervene in the internal affairs of 'the have-nots'.³³

As Stephen Krasner argues, the principles associated with both Westphalian sovereignty, such as the exclusion of external actors from domestic authority configurations, and international legal sovereignty, such as mutual recognition, have in reality been violated frequently since the formation of the sovereign-state system.³⁴ Nevertheless, states, especially states in the global south, played the game of negative sovereignty, and the proposed resolutions were never adopted in the UNGA between the 1950s and 1970s.

It was in the late 1980s, as states in the global south started to lose political power in the international sphere following the debt crisis, structural adjustment programmes led by international financial institutions, and the weakened East-West competition and tension, when they became amenable to proposals that they had once criticized as illegitimate intervention in the internal affairs of sovereign states. In 1988, the UNGA resolution that addressed the issue of international arms transfers was adopted.³⁵ The resolution requested the UN Secretary-General to carry out thereafter, with the assistance of governmental experts, a study on the ways and means to promote transparency in international transfers of conventional arms. Based on this resolution, a report entitled 'Study on Ways and Means of Promoting Transparency in International Transfers of Conventional Arms: Report of the Secretary-General' was prepared by a UN Group of Government Experts (GGE) and submitted to the UNGA in 1991.³⁶ Another UNGA resolution to establish an international arms transfer register system, a measure which had never materialized during the Cold War period, was adopted in the same year.³⁷ As a result, the UN Register of Conventional Arms (UNROCA) was established in 1992.

²⁸ Catrina, *Arms transfers*, p. 138; Stockholm International Peace Research Institute (SIPRI), *The arms trade*, pp. 100-8; Wulf, 'United Nations', p. 230.

²⁹ Draft resolution submitted by Malta, in SIPRI, *The arms trade*, pp. 102.

³⁰ *Ibid.*, pp. 101-2.

³¹ *Ibid.*, pp. 103-5.

³² Catrina, *Arms transfers*, p. 138.

³³ Krause, 'Controlling the arms trade', p. 1030; Muni, 'Third World', pp. 203-7.

³⁴ Krasner, *Power*, p. 197.

³⁵ UNGA, A/ RES/43/751.

³⁶ UNGA, A/46/301.

³⁷ UNGA, A/RES/46/36L.

II

Since the 1990s, violations of international human rights law and/or international humanitarian law by national military and security forces, especially those of states in the global south, have been matters of concern for international policy-makers.³⁸ In other words, the ability and will of states, especially states in the global south, to ensure human security, respect human rights, and pursue the collective social good have been seriously brought into question, along with the legitimacy of state violence. Since the latter half of the 1990s, the notion of a ‘responsibility to protect’ has received support, to a certain extent, from actors including governments, NGOs, and academics, especially those in the global north.³⁹ According to this notion, Westphalian sovereignty and international legal sovereignty are not inherent rights of states but are contingent on a state’s positive sovereignty. In other words, they are conditioned upon a state’s capacity and willingness to protect its population. Failure to fulfil this responsibility may lead to intervention by outside actors, who should now bear the responsibility.

As the ability and will of states, especially states in the global south, to ensure human security, respect human rights, protect their own populations, and pursue the collective good rapidly came under suspicion, it was asserted that establishing the UNROCA was not enough. The idea gained momentum that the risk of misuse, such as serious violations of international human rights law and humanitarian law, should be evaluated before exporting states decide whether to authorize arms transfers to other states. Governments, NGOs, and academics, especially those in the global north, sought to develop common criteria against which exporting states would assess the potential risks of misuse before authorizing arms transfers to other states.

Such criteria were first agreed upon among the permanent members of the United Nations Security Council (P5) in 1991,⁴⁰ at the United Nations Disarmament Commission (UNDC) in 1991,⁴¹ at the European Council in 1991 and 1992,⁴² at the European Union (EU) in 1998,⁴³ at the Organization for Security and Cooperation in Europe (OSCE) in 1993 and 2000,⁴⁴ and at the Wassenaar Arrangement in 2002.⁴⁵ Starting largely as a ‘northern’ arms exporters’ initiative, efforts were also made in the 2000s to encourage states in the global south to agree to similar sets of arms transfer criteria, against which the potential risks of misuse should be assessed on a case-by-case basis, before authorizing arms transfers; such documents were agreed upon at the Organization of American States (OAS) in 2003,⁴⁶ by East and Central African states in 2005,⁴⁷ at the Central American Integration System

³⁸ Anderson, *Do no harm*; Collier, *Wars, guns, and votes*; Kaldor, *New and old wars*.

³⁹ Clapham, ‘Weapons’, pp. 167-8.

⁴⁰ Guidelines for Conventional Arms Transfers. Communique issued following the meeting of the P5 in London, 18 Oct. 1991.

⁴¹ Guidelines for International Arms Transfers in the Context of General Assembly Resolution 46/36 H of 6 Dec. 1991.

⁴² Conclusions of the Presidency: Declaration on Non-Proliferation and Arms Exports, adopted at the European Council Meeting in Luxembourg, 28-29 June 1991; Conclusions of the Presidency: Non-Proliferation and Arms Exports, adopted at the European Council Meeting in Lisbon, 26-27 June 1992.

⁴³ European Union Code of Conduct on Arms Exports, 5 June 1998.

⁴⁴ Principles Governing Conventional Arms Transfers, 25 Nov. 1993; FSC.DOC/1/00/Rev.1, OSCE Document on Small Arms and Light Weapons, 24 Nov. 2000.

⁴⁵ Best Practice Guidelines for Exports of Small Arms and Light Weapons, 11-12 Dec. 2002.

⁴⁶ Draft Model Regulations for the Control of Brokers of Firearms, Their Parts and Components and Ammunition, approved at the 34th Regular Session of the Inter-American Drug Abuse Control Commission (CICAD), 17-20 Nov. 2003.

⁴⁷ Best Practice Guidelines for the Implementation of the Nairobi Declaration and the Nairobi Protocol on Small Arms and Light Weapons, approved at the Third Ministerial Review Conference of the Nairobi Declaration

(SICA) also in 2005,⁴⁸ at the Economic Community of West African States (ECOWAS) in 2006,⁴⁹ and by central African states in 2010.⁵⁰ During this time, initiatives were taken to develop a more ‘universal’ instrument that could potentially be agreed by all states. This ultimately led to a process to negotiate the ATT following an UNGA resolution in 2006,⁵¹ and culminated in 2013 with the adoption of the ATT.

The adopted ATT includes similar criteria as those agreed upon in the above instruments. Its Article 6 stipulates that a state party shall not authorize any transfer of conventional arms if it has knowledge at the time of authorization that the arms or items would be used in the commission of genocide, crimes against humanity, grave breaches of the Geneva Conventions of 1949, attacks directed against civilian objects or civilians protected as such, or other war crimes as defined by international agreements to which it is a party. Article 7 of the treaty also obliges each exporting state party to assess the potential that the conventional arms or items: (a) would contribute to or undermine peace and security; (b) could be used to: (i) commit or facilitate a serious violation of international humanitarian law; (ii) commit or facilitate a serious violation of international human rights law; (iii) commit or facilitate an act constituting an offence under international conventions or protocols relating to terrorism to which the exporting State is a Party; or (iv) commit or facilitate an act constituting an offence under international conventions or protocols relating to transnational organized crime to which the exporting State is a Party.

The once controversial reporting and registration mechanism for arms exports was also included in the ATT. Article 13 of the treaty obliges each state party to provide an initial report to the Secretariat of measures undertaken in order to implement the ATT within the first year after entry into force of the treaty for the state party. The same article also reads that each state party shall submit annually to the Secretariat, by 31 May, a report for the preceding calendar year concerning authorized or actual exports and imports of conventional arms covered under Article 2 (1).

When we consider this backdrop for the development of the ATT and the logic behind it, the 1890 Brussels Act and contemporary arms transfer control may look similar, in terms of their underlying assumptions and aspirations. In a sense, the language of the ATT was developed against the background in which the right to Westphalian sovereignty and international legal sovereignty were increasingly seen as contingent on a state’s ability and will to protect its own population, and the primacy of the principle of non-intervention was severely eroded.

It nevertheless needs to be pointed out that the ATT’s approach is not based on the binary assumption that civilized rational subjects are capable of defining the collective social good and barbarians are incapable of doing so, which was the assumption embedded in the Brussels Act. Instead, the ATT is based on the idea that any actor, whether global north or south, has a lesser or greater degree of risk of falling into irrationality, dysfunction and immorality, and thus requires external risk assessment. At the same time, no actor is

on the Problem of the Proliferation of Illicit Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa, 20-21 June 2005.

⁴⁸ Code of Conduct of Central American States on the Transfer of Arms, Ammunition, Explosives and Other Related Material, 2 Dec. 2005.

⁴⁹ ECOWAS Convention on Small Arms and Light Weapons, Their Ammunition and Other Related Materials, 14 June 2006.

⁵⁰ Central African Convention for the Control of Small Arms and Light Weapons, their Ammunition and all Parts and Components that can be used for their Manufacture, Repair and Assembly, 30 April 2010

⁵¹ The process was made possible by a series of UNGA resolutions: UNGA, A/RES/61/89; UNGA, A/RES/63/240; UNGA, A/RES/64/48; UNGA, A/RES/67/234.

assumed to be capable of providing universal judgement as to the level of risk of a specific actor or of defining the collective good on behalf of the potentially affected population or of the international community.

Potential discrimination in implementation of the ATT therefore arises from its differences from—rather than its similarities to—the Brussels Act. Since decisions whether to export based on risk assessment are left to the discretion of each state party, some states parties of the ATT may conclude that the risk of arms being used to commit or facilitate serious violations of international humanitarian law is ‘overriding’, in the question of authorizing certain arms to a certain actor at a certain time, while other states parties may think that the risk is not sufficiently ‘overriding’ to reject a licence for transfer. When this ambiguous, uncertain norm is combined with the political, military or economic interests of arms exporters, it can be used in a discriminatory manner.

States parties to the ATT faced this issue, in addition to a number of technical, financial, practical and political issues, in the course of the CSP process. The next section provides an overview of the CSP process and explains some of the challenges facing the ATT by referring to the following three articles included in this collection.

III

The ATT entered into force on 24 December 2014. The preparatory process for CSPs started in early 2014, and five informal and formal preparatory meetings took place before the First Conference of States Parties to the Arms Trade Treaty (CSP1) on 24-27 August 2015 in Cancun, Mexico.⁵² Presided by Ambassador Jorge Lomónaco of Mexico, discussions at the CSP1 centred around procedural and administrative issues such as the rules of procedure and financial rules of CSPs, the location and budgetary arrangements of the ATT Secretariat, election of the head of the ATT secretariat, reporting mechanisms and templates, and election of the President, Vice-Presidents and Management Committee for the Second Conference of States Parties to the Arms Trade Treaty (CSP2). States parties discussed proposed draft templates that could be used as the basis for the initial and the annual reports, but failed to address concerns raised on the drafts or to adopt them as the official reporting templates. As a result, the issue of reporting templates was carried over to CSP2.

CSP2 was held on 22-26 August 2016, in Geneva, Switzerland, with Ambassador Emmanuel E. Imohe of Nigeria presiding.⁵³ The issue of reporting templates was again tabled at the conference. Although only minor cosmetic changes were made to the draft initial and annual reporting templates, states parties ‘endorsed’ both the initial and annual reporting templates and ‘recommended’ their use by States Parties – although the issue of the reviewing the reporting templates was left open for future CSPs.⁵⁴ CSP2 established a Voluntary Trust Fund (VTF) for ATT implementation, as well as three working groups to allow work to continue between CSPs: on Transparency and Reporting, on Effective Implementation of the ATT, and on Universalization.

The Third Conference of States Parties (CSP3) was held on 11-15 September 2017 in

⁵² ATT Secretariat, ATT/CSP1/2015/6. For a summary of the issues discussed at the CSP1, See Enomoto, ‘In preparation for the second conference’.

⁵³ ATT Secretariat, ATT/CSP2/2016/5. For a summary of the issues discussed at the CSP2, See Enomoto, ‘In preparation for the third conference’.

⁵⁴ ATT/CSP2/2016/5, Final Report, paragraph 25.

Geneva, Switzerland, presided by Ambassador Klaus Korhonen of Finland.⁵⁵ At CSP3, concerns were raised that some states were not meeting their legal obligations of initial and/or annual reporting. As of the beginning of CSP3, 61 of the 85 ATT states parties required to submit their initial reports had done so (72 percent), and 48 of the 75 states parties required to submit their annual reports for 2016 had done so (64 percent). In order to address this issue, states parties agreed that future CSPs would review reporting compliance, and endorsed a document, *Reporting authorized or actual exports and imports of conventional arms under the ATT: questions & answers*, which clarified technical matters that states may face in filling in the annual reporting template.⁵⁶ During CSP3, Ambassador Nobushige Takamizawa of Japan was elected president of CSP4, and the Japanese delegation announced their intention to hold CSP4 in Japan.⁵⁷ The RIHGAT, in collaboration with domestic and overseas research institutes, universities and NGOs, began preparations for an international symposium to be held on 18 August 2018.

CSP4 was held in Tokyo, Japan, on 20-24 August in 2018.⁵⁸ As we expected that the issue of reporting compliance would continue to be one of the key issues at the conference, the RIHGAT invited a specialist on the matter, Paul Holtom, Senior Researcher at the Small Arms Survey, to the symposium. The presentation has since been updated as part of this collection.

Holtom's article asks whether the Arms Trade Treaty (ATT) can achieve its purpose of increasing transparency in the international arms trade. After introducing the concepts of intergovernmental and public transparency in international arms transfers, the article provides examples of key transparency instruments, with a focus on the UNROCA. The article then reviews ATT annual reports submitted during 2016-18 in comparison to UNROCA submissions. It concludes that the ATT has the potential to increase the number of states that make information on their arms transfers publicly available, yet points out that there are worrisome signs that several ATT states parties are providing less detailed information in their ATT reports than they used to provide to UNROCA. The article concludes that states parties need to implement the treaty's reporting obligations in good faith, and that NGOs should remain vigilant and highlight any backsliding in reporting before obfuscation of information becomes a 'norm' in transparency in international transfers of conventional arms.

The next article is written by Mitzi Austero, Programmes Manager and Communications and Research Manager at Nonviolence International Southeast Asia, and Pauleen Gorospe, Communications and Research Manager at the organisation. Since the ATT was opened for signature and ratification, the number of Asian states parties has been particularly low compared to other regions, and no Southeast Asian state had yet ratified the treaty at the time of the opening of CSP4. There were several signatories who were facing domestic challenges regarding ratification, particularly in Southeast Asia: Cambodia, Malaysia, Philippines, Singapore, and Thailand. CSP4 was expected to help universalize the treaty in

⁵⁵ ATT Secretariat, ATT/CSP3/2017/SEC/184/Conf.FinRep.Rev1. For a summary of the issues discussed at the CSP3, See Enomoto, 'Key issues at the third and fourth'.

⁵⁶ ATT Secretariat, *Reporting authorized or actual exports*.

⁵⁷ Rule 11 of the rules of procedure adopted at the CSP1 states that '(t)he venue for each ordinary session shall be decided by the Conference at its preceding ordinary session, taking into consideration the importance of promoting the universalization of the Treaty. In the absence of a decision by States Parties on the venue of the next ordinary session of the Conference, it shall be held at the seat of the Secretariat'. ATT Secretariat, ATT/CSP1/CONF/1.

⁵⁸ ATT Secretariat, ATT/CSP4/2018/SEC/369/Conf.FinRep.Rev1. For a summary of the issues discussed at the CSP3, See Enomoto, 'Key issues at the third and fourth'.

the region by raising awareness and promoting policy debate on the treaty among actors, including state delegations, academics and NGOs in the region. We therefore invited Austero to the symposium to discuss the challenges faced in Southeast Asia ahead of CSP4. The presentation has since been updated by Austero and her colleague Gorospe.

In Austero and Gorospe's article, they look into the challenges of developing criteria for risk assessment of arms transfers in Southeast Asia, in view of the region's experiences with armed conflicts, high levels of armed violence, and proliferation of weapons. It asserts that informal and sub-national cooperation in the region can help build and strengthen formal structures to support arms control regimes and encourage national governments to adopt international instruments. It calls for a pragmatic approach that incorporates disparities in the levels of development, presence of armed conflicts, and the different security needs of each country. Lastly, it recommends that formal and informal regional mechanisms be actively utilized in discussions on the adoption of a regional protocol on arms transfers.

In the course of the preparatory process for CSP4, states parties decided that the conference would thematically focus on the issue of diversion. Our symposium therefore included a presentation on the theme by Nicholas Marsh, Research Fellow at the Peace Research Institute Oslo (PRIO), who is a specialist on this issue. Article 11 of the treaty states that each state party involved in the transfer of conventional arms covered under Article 2 (1) shall take measures to prevent their diversion, and establishes the means by which a diversion can be prevented by importing, transit, trans-shipment and exporting states parties. Although the term diversion is not defined in the treaty, it is generally understood that the term applies to the movement of weapons from authorized to unauthorized end use, or from authorized to unauthorized end users; preventing diversion has been one of the central aims of the ATT.

Marsh's article argues that in different places, the treaty covers both diversions taking place during a transfer and after the transfer has been completed. The article then considers the different ways that authorization can be granted; it points out that a diversion can occur when any state involved in a transfer has not provided authorization and presents examples of diversion in contemporary armed conflicts, analysing the nature of the diversion in each example. It concludes with the observations that states parties need to control the activities of arms brokers, that much more knowledge is needed by states parties to help them predict when a diversion may occur, and that a key priority for international cooperation and assistance should be to enhance stockpile security and management.

The symposium also introduced a presentation on challenges facing the implementation of the ATT that addressed some key issues preventing states parties from fully implementing the treaty. The updated article may be included in one of the future issues of our journal. The symposium also discussed difficult implementation challenges, such as possible treaty violations, in the general debate session. Throughout the CSP process, there has been criticism against states parties for their tendency to focus on procedural and administrative matters while avoiding concerns about the Treaty's implementation or any discussion of actual arms transfers, including arms transfers to Saudi Arabia.⁵⁹ CSP4 included more substantive discussions around the treaty's implementation than previous CSPs, but NGOs complained that states parties 'once again failed to specifically discuss problematic arms transfers and violations of the Treaty'.⁶⁰

⁵⁹ Some of their criticisms are summarized in Enomoto, 'In preparation for the second conference'; 'In preparation for the third conference'; 'Key issues at the third and fourth'.

⁶⁰ Control Arms, *Fourth conference*, p. 1.

From the historical perspective described in the preceding sections of this article, the difficulties may lie in the design of the ATT and the underpinning ideas and assumptions. The ATT's approach to setting the criteria for arms transfers is based on the idea that any actor has a lesser or greater degree of risk of falling into irrationality, dysfunction and immorality, and thus requires external risk assessment, while no actor is assumed to be capable of providing universal judgement as to the level of risk of specific actors. This ambiguous approach leaves open the possibility of being used in a discriminatory manner when it is met with political, military or economic interests of arms exporters.

IV

The ATT is an under-researched treaty in Japan. The author was the only non-state Japanese participant throughout most of the preparatory committees and negotiation conferences held between 2010 and 2013. Not much information is available on the ATT in Japanese, and most national media reports on the treaty contain factual errors; academic writings on the subject may not necessarily offer updated information.

For instance, a chapter of a book edited by the Japan Association of Disarmament Studies and published in March 2019 judges that the ATT does not apply to unmanned versions of combat aircraft and attack helicopters in its scope, and therefore there is no legal obligation to control or report them.⁶¹ Although the ATT does not explicitly reference unmanned versions of these categories within its scope, such judgement is not based on updated information on debate and agreements through the CSP process and the state practices that followed.

Article 2 of the ATT reads that the treaty shall apply to all conventional arms within the following categories: (a) battle tanks; (b) armoured combat vehicles; (c) large-calibre artillery systems; (d) combat aircraft; (e) attack helicopters; (f) warships; (g) missiles and missile launchers; and (h) small arms and light weapons. Article 5 adds that each state party is encouraged to apply the provisions of this Treaty to the broadest range of conventional arms, and that national definitions of any of the categories covered under Article 2 (1) (a)-(g) shall not cover less than the descriptions used in the UNROCA at the time of entry into force of the ATT. Since the treaty entered into force on 24 December 2014, discussion followed as to what was covered by the UNROCA at that time.⁶²

The UN Secretary-General convened a GGE on the continuing operation of the UNROCA and its further development every three years from 1994 to 2009. The 2012 GGE meeting was postponed to 2013.⁶³ The 2006 GGE report agreed that its category IV (combat aircraft) 'already covered those unmanned platforms that were versions of combat aircraft or that otherwise fell within the existing definition but not specially designed UAVs'.⁶⁴ Efforts were made in subsequent GGEs to be precise about the types of platforms to be covered, based on developments in the technology, transfer, and use. The 2013 GGE report noted that unmanned aerial vehicles were covered by categories IV (combat aircraft) and V (attack helicopters) of the UNROCA.⁶⁵ Although the 2013 GGE did not change the category description itself, it did recommend that states report international transfers of

⁶¹ Iwamoto, 'Present', pp. 387-8.

⁶² See commentaries on Articles 2 and 5 in Caonero and Merrell-Wetterwik, 'Article 5'; Casey-Maslen, S. 'Article 5'; Holtom, 'Article 2'; Parker, 'Article 2'.

⁶³ UNGA, A/C.1/67/L.22.

⁶⁴ UNGA, A/61/261, para. 96

⁶⁵ UNGA, A/68/140.

unmanned aerial vehicles in their annual reports to the UNROCA incorporating ‘unmanned’ sub-categories under categories IV and V. Both 2006 and 2013 GGE reports were endorsed by UNGA resolutions.⁶⁶ Following the decision taken by the 2013 GGE, the United Nations Office for Disarmament Affairs (UNODA) made changes on its website to update the reporting template so that it was in line with the recommendation made by the GGE. The UNODA Standardized Reporting Forms for the UNROCA at the time of the entry into force of the ATT included the following categories and descriptions. As a result of the GGE conclusions and recommendations and ODA’s approach, it was widely interpreted that unmanned versions of ‘combat aircraft’ and ‘attack helicopters’ are indeed included in the scope of the ATT.⁶⁷

IV. Combat aircraft

- a) Manned fixed-wing or variable-geometry wing aircraft, designed, equipped or modified to engage targets by employing guided missiles, unguided rockets, bombs, guns, cannons or other weapons of destruction, including versions of these aircraft which perform specialized electronic warfare, suppression of air defence or reconnaissance missions;
- b) Unmanned fixed-wing or variable-geometry wing aircraft, designed, equipped or modified to engage targets by employing guided missiles, unguided rockets, bombs, guns, cannons or other weapons of destruction. The term “combat aircraft” does not include primary trainer aircraft, unless designed, equipped or modified as described above.

V. Attack helicopters

- a) Manned rotary-wing aircraft, designed, equipped or modified to engage targets by employing guided or unguided anti-armour, air-to-surface, air-to-subsurface, or air-to-air weapons and equipped with an integrated fire control and aiming system for these weapons, including versions of these aircraft which perform specialized reconnaissance or electronic warfare missions;
- b) Unmanned rotary-wing aircraft, designed, equipped or modified to engage targets by employing guided or unguided anti-armour, air-to-surface, air-to-subsurface, or air-to-air weapons and equipped with an integrated fire control and aiming system for these weapons.

As noted in the previous section, Article 13 of the ATT obliges each state party to submit annually to the Secretariat, by 31 May, a report for the preceding calendar year concerning authorized or actual exports and imports of ‘conventional arms covered under Article 2 (1)’. In preparation for CSP1, an informal working group on transparency and reporting was formed, and the question of what is included in Article 2 (1) of the ATT was addressed with a view to developing an annual reporting template. The chair of the working group promoted the interpretation that the 2013 UNROCA GGE had concluded that unmanned versions of combat aircraft and attack helicopters are included in the scope of these categories in the UNROCA, and therefore should also be regarded as included in the scope of the ATT. As there was a desire by states parties that were active in the working group to seek a close alignment between the reporting templates for both ATT and UNROCA, there

⁶⁶ UNGA, A/RES/61/77; UNGA, A/RES/68/43.

⁶⁷ Holtom, ‘Article 2’, pp. 42-3; Parker, ‘Article 2’, 85-95.

was support for the inclusion of sub-categories for unmanned versions of combat aircraft and attack helicopters in the ATT reporting template.⁶⁸

More specifically, the ATT annual reporting template has sub-headings under the categories of ‘combat aircraft’ and ‘attack helicopters’ that allow states parties to report separately on imports and/or exports of manned or unmanned versions within these categories.⁶⁹ The aforementioned document endorsed at CSP3, *Reporting authorized or actual exports and imports of conventional arms under the ATT: questions & answers*, offers some explanation of this interpretation.⁷⁰ As noted earlier, states parties ‘endorsed’ the annual reporting template and ‘recommend’ its use at CSP2, and therefore it is not mandatory to use the template.⁷¹ However, among the annual reports submitted to the ATT Secretariat in 2018, only France did not use the template.

In view of this situation, judging simply that there is no legal obligation to control or report unmanned combat aircraft and attack helicopters under the ATT may not be helpful in understanding the debate and decisions through the CSP process and the state practices that followed. In order to understand the definition/description for ATT categories, one has to closely examine and continually update the deliberations of the UNROCA GGEs as well as of the CSP process.⁷²

With a history of the two atomic bombs that were dropped in Hiroshima and Nagasaki, arms control and disarmament debate in Japan has largely focused on nuclear weapons control, which results in an extremely small number of academics in the area of conventional weapons control. Updated information on the details of debate and measures taken during the CSP process have not necessarily been shared even among academics, let alone with the media and the public. In this context, our international symposium in August 2018 provided a rare opportunity for the RIHGAT to disseminate accurate information in some detail on the key themes of CSP4, as well as to provide some historical insights based on our research.

The RIHGAT was established in 2015 as a five-year project aiming to contribute to the current arms control debate, both in practical and academic terms, through interdisciplinary and global collaborative research based on historical studies. As CSP4 approached, the RIHGAT was elevated to one of three official institutes of Meiji University as of 1 August 2018. It began running cross-department courses for undergraduate students on arms industry and arms control studies in April 2019, and aspires to create an international research and education hub for those who are interested in relevant studies. With CSP5 approaching, it is hoped that this collection will provide a good opportunity to overview the long and complex history of international policy debate on arms transfer control, and to look into developments on the issues discussed before CSP4.

⁶⁸ The author thanks Paul Holtom for his information about the working group debate.

⁶⁹ ATT Secretariat, ATT/CSP2/2016/WP.6, annex 2.

⁷⁰ ATT Secretariat, *Reporting authorized or actual exports*.

⁷¹ This is because several states parties highlighted that they understood Article 13 to mean that the same report can be submitted to both the ATT and UNROCA, an approach that France has consistently taken since it submitted its first ATT annual report. The author thanks Paul Holtom and Nicholas Marsh for this information.

⁷² The 2016 UNROCA GGE recommended changing the heading of category IV to ‘Combat aircraft and unmanned combat aerial vehicles’ and formally amending the description for category IV to consist of two sub-categories. See UNGA, A/71/259, para. 57.

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Can the Arms Trade Treaty Increase Transparency in International Arms Transfers?

By PAUL HOLTOM*

This article asks whether the Arms Trade Treaty (ATT) can achieve its purpose of increasing transparency in the international arms trade. After introducing the concepts of intergovernmental and public transparency in international arms transfers, the article provides examples of key transparency instruments with a focus on United Nations Register of Conventional Arms (UNROCA). The article reviews ATT annual reports submitted during 2016-18, which provide information on international transfers of conventional arms that took place during 2015-17 in comparison to UNROCA submissions for this period. The article concludes that the ATT has the potential to increase the number of States that make information on their arms transfers publicly available, especially if States Parties take advantage of the opportunities for capacity building that could be provided via the ATT voluntary trust fund (VTF). Yet there are worrying signs that several ATT States Parties are providing less detailed information in their ATT reports than they used to provide for UNROCA. Therefore, States Parties and non-governmental organizations need to remain vigilant and highlight backsliding in reporting before obfuscation of information becomes a 'norm' in transparency in international transfers of conventional arms.

The first Article of the Arms Trade Treaty (ATT) declares that the Treaty's purpose includes: 'promoting cooperation, transparency and responsible action by States Parties in the international trade in conventional arms, thereby building confidence among States Parties'.¹ To achieve the aim of promoting transparency in international arms transfers, ATT States Parties are legally obliged to provide to the ATT Secretariat an annual report on authorizations and/or actual exports and imports of eight categories of conventional arms, including small arms and light weapons (SALW).² This article investigates the assumption that the ATT can increase transparency in the international arms trade. Specifically, it seeks to address the question: 'Has the ATT increased transparency in international arms transfers?'. In order to do this, it uses reporting to the United Nations Register of Conventional Arms (UNROCA) to provide a baseline for assessing the impact of the ATT on transparency in international arms transfers, examining both the level of reporting and the quality of the information contained in ATT and UNROCA reports.

Providing data on arms exports and imports for other States and for the general public is viewed as a sensitive issue for many States, having potential implications for national

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¹ UNGA, *Arms Trade Treaty*, Article 1.

² UNGA, *Arms Trade Treaty*, Article 13.3.

defence and security. Yet, a norm in transparency in international arms transfers has been established since the end of the Cold War, as States have exchanged official information with other States on imports and exports of conventional arms and military equipment, as well as making such information available for parliamentary and public scrutiny. However, since the start of the UN process towards an ATT, there has been a significant decline in the number of States providing information on their international transfers of conventional arms to UNROCA. Does this suggest that the norm of transparency in international arms transfers is under threat? Can the ATT reverse this negative tendency and increase transparency in international arms transfers?

Section I of this article identifies intergovernmental and public transparency in international arms transfers. Section II gives an overview of transparency in international arms transfers for the period 1992-2015, with a focus on UNROCA reporting. It provides a baseline against which to assess the impact of the ATT on transparency in international arms transfers. The third section provides background information on the development of ATT reporting forms and other guidance developed for use by ATT States Parties to enable them to report annually on their exports and imports of conventional arms. Section IV reviews the first three years of ATT annual reports submitted during 2016-18, providing information on international transfers of conventional arms that took place during 2015-17, and assesses this data to determine if the ATT has increased transparency in international arms transfers. The final section provides concluding remarks.

I

What is transparency? An Florini provides a negative definition for transparency, suggesting it can simply be considered ‘the opposite of secrecy’.³ In a positive sense, it has come to be understood as involving the ‘systematic provision of information’ with a view to reducing ‘the risk of misunderstanding or miscalculation’.⁴ Therefore, it is also used synonymously with ‘open government’ or ‘openness’. It should also be noted that States and national governments can be transparent in some spheres and still retain secrets in other areas. Thus, a general division can be made, depending on the intended audience of the information released, between intergovernmental transparency and public transparency.⁵

The confidential exchange of information on international transfers of conventional arms between States is classified as intergovernmental transparency. This type of exchange of information is not viewed as a goal, but as a means to build confidence and enhance cooperation between states that regard participation as being in line with their national and international security interests. There are two main objectives for multilateral intergovernmental mechanisms for reporting on arms exports and/or imports: (1) preventing arms races and armed conflict between states that exchange information and (2) informing arms export licensing decisions in order to prevent destabilizing accumulations of arms and diversion to unauthorised illicit end users (i.e. terrorists, criminals, entities subject to UN arms embargoes).

In the first category, it is assumed that the exchange of information can provide data that helps to understand the intentions and capabilities of other States in order to prevent the exaggeration of threats, misinterpretations, and miscalculations that can lead to arms races

³ For example, see: Florini, ‘The end of secrecy’, p 50.

⁴ UNGA, A/46/301, para. 14.

⁵ Florini, ‘The end of secrecy’; Grigorescu, ‘International organizations’, pp. 643–67.

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and armed conflict.⁶ This was the rationale for the Treaty on Conventional Armed Forces in Europe (CFE Treaty), signed on 19 November 1990 by 22 North Atlantic Treaty Organisation (NATO) and Warsaw Treaty Organisation (WTO) states. States that participate in the exchange of information on military holdings of five categories of major conventional weapons under the CFE Treaty share this data in a confidential manner, with the aim of building confidence and preventing conflict.⁷ The CFE Treaty is an example of an intergovernmental transparency mechanism that seeks to prevent arms races and armed conflict between the States that participate in the information exchange.

In the second category, information on arms export licences and/or deliveries of conventional arms is shared between States in order to inform national decision-making on exports, ensuring that potential transfers will not contribute to destabilizing accumulations and fuel armed conflict.⁸ The Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies (Wassenaar Arrangement), established by 33 states in July 1996, is an example of such an intergovernmental transparency mechanism. The Wassenaar Arrangement has two key objectives:

- promote greater transparency, cooperation and responsibility in transfers of conventional arms, military equipment, and dual-use items and technologies; and
- prevent destabilizing accumulations and the diversion of controlled items to illicit end users.⁹

The 42 Wassenaar Arrangement participating States are major arms producers or States with significant involvement in the international arms trade. These States meet formally twice a year to exchange information in confidence on exports and export licence denials. The information exchanged between Wassenaar Arrangement participating States is not made publicly available.

Public transparency, or government openness, in international arms transfers refers to the practice of making information on a state's preferences, intentions, and capabilities available to the general public, including in other citizens of other States. It is generally regarded as being linked to a government's democratic accountability and commitment to parliamentary and public oversight.¹⁰ Public transparency with regard to international arms transfers entails the public dissemination of information on laws, decision-making procedures for exports and procurement, and information on authorizations and actual arms exports and imports, as well as the refusal for licences to export or import conventional arms. By making such information publicly available, it is expected that it will enable parliamentarians and interested citizens to monitor and assess compliance with national and international legal obligations regarding international arms transfers, in particular Articles 6, 7 and 11 of the ATT.¹¹ The possibility of being held to account for certain transfers that could be viewed negatively by domestic publics 'might motivate the authorities to give

⁶ UNGA, A/46/301, para 99-100.

⁷ The five categories of weapons to be reported upon are listed in Article 1 of the CFE Treaty: tanks, artillery, armoured combat vehicles, combat aircraft and attack helicopters.

⁸ UNGA, A/46/301, para 98 and 101.

⁹ The Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies is regarded to some extent as a successor to the Coordinating Committee for Multilateral Export Controls (COCOM). COCOM was established in 1947 to prevent the transfer of arms and military equipment from NATO members and Japan to WTO states. It was disbanded in 1994. The membership of the WA is broader than that of COCOM, with former WTO members now participants (WA, 'Website').

¹⁰ Grigorescu, 'International organizations', p. 644.

¹¹ Greene, *Information exchange and transparency*; and SAS, *Survey 2007*, pp. 73 and 81.

even more careful consideration to all aspects of contemplated arms transfers before they are carried out'.¹² As of December 2018, 34 States had published at least one national report on arms exports since 1990, providing information on national arms transfer control systems and/or arms export authorizations or actual exports and.¹³ Some States produce reports that include descriptions of all equipment licensed for export, instances where an export licence was denied, brokering licences authorized or denied, and transit licences. The level of detail provided can vary considerably.

Although it is analytically useful to distinguish between intergovernmental and public transparency in international arms transfers, there is a lot of the interplay between the two forms in practice. While the data on international arms transfers shared between States under the CFE Treaty and Wassenaar Arrangement is not made publicly available, there is a growing tendency for information exchanged within intergovernmental frameworks to also be made publicly available, thereby contributing to public transparency.¹⁴ Several regional examples that support this argument are presented below. UNROCA is the most important intergovernmental reporting mechanism on imports and exports of conventional arms, which also makes information provided by States publicly. UNROCA was created to increase intergovernmental transparency and build confidence between States and prevent destabilizing accumulations of conventional arms that could fuel misperceptions and eventually lead to armed conflict. The UN Department for Disarmament Affairs interpreted the UN General Assembly resolution that established UNROCA as providing for the information supplied by UN Member States to be made available for, at first the interested academic and research community, and subsequently for the public at large via a website that reproduces national submissions.¹⁵ Therefore, UNROCA is not only an intergovernmental transparency mechanism but also contributes to public transparency. As will be discussed below, the approach taken for UNROCA set an important precedent for public reporting under the ATT. This article only assesses the way in which the ATT contributes to public transparency in international arms transfers. It also notes that the ATT's reporting obligations did not necessarily introduce new commitments or practices because many ATT States Parties were already politically or legally committed to providing information on an annual basis on their authorizations and/or actual exports and imports.

II

The issue of transparency in international arms transfers is not new. States exchanged information on their international arms transfers during the inter-war period of the 1920s and 1930s under the auspices of the League of Nations, which produced a Statistical Yearbook on Trade in Arms and Armaments using information provided by States.¹⁶ The possibility of the UN collecting, collating and disseminating information on international

¹² UNGA, A/46/301, para. 101.

¹³ The 34 states that have published at least one report on their arms exports since 1990 are: Albania, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Germany, Hungary, Ireland, Italy, Former Yugoslav Republic of Macedonia, Montenegro, The Netherlands, Norway, Poland, Portugal, Romania, Serbia, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Ukraine, the United Kingdom and the United States. Although Belarus published a national report on export control policy, exports of arms and military equipment for 2006, it did not contain any data on actual transfers. A list of the published reports is at: http://www.sipri.org/contents/armstrad/atlinks_gov.html.

¹⁴ Grigorescu, 'International organizations', p. 649.

¹⁵ UNROCA, 'Website'.

¹⁶ Stone, 'Imperialism and sovereignty', pp. 213-30. The League of Nations's Yearbooks can be found at: www.un.org/disarmament/convarms/Register/HTML/Register_Resources.html.

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arms transfers was also raised in the General Assembly on several occasions during the Cold War. The genesis of UNROCA can be found in General Assembly resolution 43/75 of 7 December 1988, which requested the UN Secretary-General to establish a group of governmental experts (GGE) to carry out a study on the ‘ways and means of promoting transparency in international transfers of conventional arms on a universal and non-discriminatory basis’.¹⁷ This study laid the foundations for the UNROCA of Conventional Arms (‘the Register’), providing recommendations for the instrument’s operation and scope.

UN General Assembly resolution 46/36 L of December 1991, on ‘Transparency in armaments’ established the UNROCA ‘to prevent excessive and destabilizing accumulation of arms (...) in order to promote stability and strengthen regional or international peace and security [and to] enhance confidence, promote stability, help states to exercise restraint, ease tensions and strengthen regional and international peace and security’.¹⁸ All UN Member States are requested to provide information on their actual imports and exports from the preceding calendar year for seven categories of conventional arms:

- I. Battle tanks;
- II. Armoured combat vehicles;
- III. Large-calibre artillery;
- IV. Combat aircraft;
- V. Attack helicopters;
- VI. Warships; and
- VII. Missiles and missile launchers.

Descriptions for the seven categories are provided in an appendix to the resolution. The description have been reviewed every three years by a group of governmental experts (GGE) appointed by the UN Secretary-General as part of a regular assessment of the continuing operation and further development of UNROCA. The GGEs can recommend changes to the parameters of the descriptions, which are then put before the UN General Assembly for adoption.¹⁹ The last change to a category description took place following the 2016 GGE on the UNROCA, which provided a description for unmanned combat aerial vehicles (UCAV) to be reported in an amended category for combat aircraft.²⁰ Member States determine on a national basis what constitutes an ‘export’ or ‘import’ and which conventional arms to report.²¹ Since 2004, UN Member States have been invited to provide information on international transfers of SALW,²² and were provided with a standardised reporting form for reporting international transfers of SALW in 2006.²³ The 2016 GGE on the continuing operation and further development of the UNROCA recommended that member States report on international transfers of SALW on the same basis as the seven

¹⁷ UNGA, A/RES/43/75 I.

¹⁸ UNGA, A/RES/46/36 L.

¹⁹ For more information on the role of GGE’s in the development, or lack thereof, see: Holtom, ‘Nothing to report’, pp. 61-87.

²⁰ UNGA, A/71/259, para. 81.

²¹ Member States are only requested to provide information on international transfers of complete weapons systems and not spare parts, components, upgrade kits, and military technology and equipment. UN General Assembly resolution 46/36 L of December 1991 also invited Member States to provide background information on procurement through national production, military holdings, and relevance policies.

²² UNGA, A/58/274, para. 113(e).

²³ UNGA, A/61/261, para. 125.

categories of conventional arms, thus creating a ‘seven plus one formula’ for reporting.²⁴

Since its inception the UNROCA has received reports from more than 170 states. The level of reporting has varied significantly from year-to-year, from a high of 124 states in 2002 for transfers that took place in calendar year 2001 to a low of just 50 states in 2016 for transfers that took place in 2015 (see Figure 1). The decline in reporting corresponds with the period in which the negotiations on the ATT took place, as well as the repeated failure of several UN GGE to reach consensus on adding an eighth full category to the UNROCA for reporting on international transfers of SALW. Nevertheless, reporting to the UNROCA provides a useful baseline for assessing the contribution of the ATT for transparency in international arms transfers. The GGEs tasked with accounting for the decline in reporting have determined that the downward trajectory is largely due to the fact that the large number of Member States that provided nil reports during the period 2001-7 stopped reporting during 2008-18.²⁵ More precisely, the factors that could have influenced this downward trajectory are thought to include:

- ‘a reduction in follow-up efforts regarding reporting;
- an increasing burden on Member States with regard to reporting on conventional arms issues;
- reporting fatigue felt by Member States that previously reported regularly;
- the limited relevance of the Register while small arms and light weapons were not included as a main category; and
- the focus on the Arms Trade Treaty process at the United Nations in recent years’.²⁶

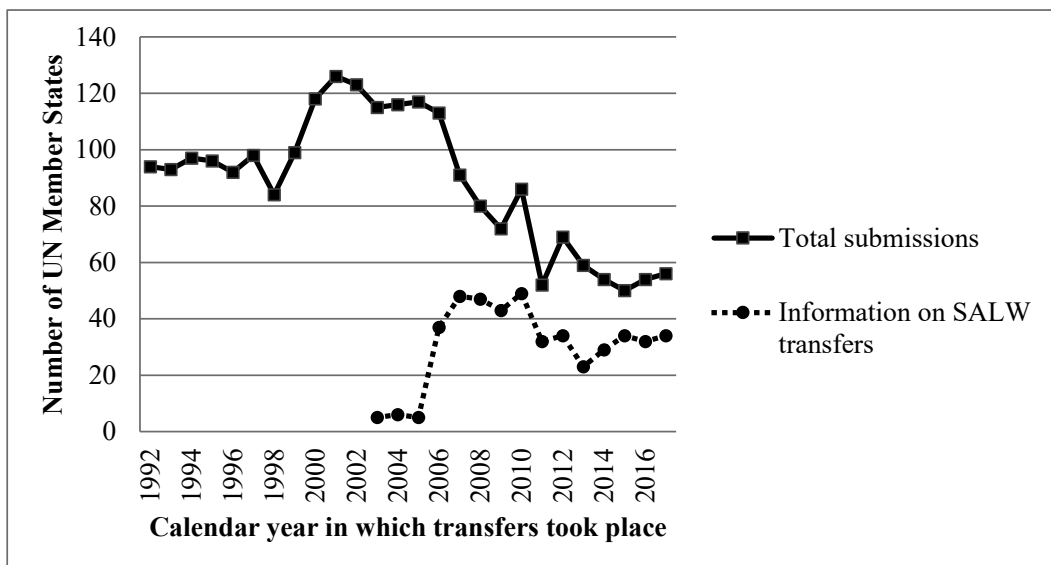


Figure 1. Submissions to the UNROCA of Conventional Arms, years in which transfers took place, 1992-2017

Sources: UNODA, *The UN Register*; UNROCA.

²⁴ UNGA, A/71/259, para. 75 and 83.

²⁵ UNGA, A/68/140, para. 17; UNGA, A/71/259, para. 20.

²⁶ UNGA, A/68/140, para. 16.

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The UNROCA has not only served as a critical point of reference for the ATT, but has also been an inspiration for regional confidence-building instruments and information exchanges on international arms transfers. For example, since 1998 participating states of the Organization of Security and Co-operation in Europe (OSCE) have exchanged annual reports on their imports and exports of conventional arms using UNROCA descriptions for seven categories of conventional arms and using reporting templates that are identical to those used for the UNROCA.²⁷ A decision was taken in September 2016 for the information exchanged on conventional arms transfers to be made publicly available on the OSCE website.²⁸ In June 1999, the Organization of American States (OAS) General Assembly adopted the Inter-American Convention on Transparency in Conventional Weapons Acquisitions (CITAAC), which entered into force in November 2002. The CITAAC requires States Parties to submit annual reports on imports and exports of items falling within the seven categories of the UNROCA, and to report on all acquisitions within 90 days of their incorporation into the armed forces, and provides that ‘States Parties shall guarantee the confidentiality of any information they receive, if requested to do so by the State Party providing the information’.²⁹ In addition, European Union (EU) Member States regularly exchange information on authorizations for export and brokering licences and deliveries of conventional arms. This information is compiled in the publicly available EU annual report produced in accordance with the legally binding Common Position 2008/944/CFSP, which defines common rules governing control of exports of military technology and equipment.³⁰ Countries in south-eastern Europe have adopted the EU approach to exchanging information in a regional setting and making information on authorizations and/or actual exports of conventional arms. Therefore, the Euro-Atlantic region and the Americas have multiple political commitments and legal obligations for reporting on international arms transfers.

In contrast to the public transparency on international arms transfers by States in the EU, OAS, OSCE, and south-eastern Europe, there are several intergovernmental transparency mechanisms on international transfers of SALW for which the results are not made publicly available. Since 2001, OSCE participating states have exchanged information on their imports and exports of small arms, but this information is not made publicly available. States parties to the Economic Community of West African States (ECOWAS) Convention on SALW, their Ammunition and Other Related Materials (ECOWAS Convention) and the Central African Convention for the Control of Small Arms and Light Weapons, Their Ammunition and all Parts and Components that can be used for their Manufacture, Repair and Assembly (Kinshasa Convention) are legally obliged to report each year to their respective Secretariats on their SALW imports and exports, but these reports do not have to be made public.³¹ As a result of this opacity, the baseline for assessing the contribution of the ATT to public transparency in international transfers of SALW relies on UNROCA submissions and information provided in national and regional reports on arms exports.

²⁷ OCSE, FSC.DEC/13/97.

²⁸ OSCE, FSC.DEC/4/16/Corr.1.

²⁹ OAS, CITAAC. Most national reports can be found online at: <http://www.oea.org/csh/english/conventionalweapons.asp>.

³⁰ CoEU, Council Common Position 2008/944/CFSP.

³¹ ECOWAS, *Convention*, Article 10; ECCAS, *Convention*, Articles 21 and 24.

III

Article 13(3) of the ATT obliges ATT States Parties to provide an annual report to the ATT Secretariat by 31 May each year on their conventional arms imports and exports during the previous calendar year.³² This section notes that while the treaty text provides some guidance for reporting, the ATT working group on transparency and reporting, and non-governmental organizations have developed tools and materials to support reporting by ATT States Parties.

Article 13(3) does not explicitly state that ATT annual reports will be made publicly available. At a glance, Article 13(3) resembles the UN General Assembly resolution that established the UNROCA, which also did not contain provisions for national submissions to the UNROCA to be made publicly available. However, it has been argued that there is an implicit call for public reporting because of the placement of the comma in the sentence: ‘Reports shall be made available, and distributed to States Parties by the Secretariat’.³³ The so-called ‘transparency comma’ is thus interpreted as distinguishing between making reports publicly available in the first half of the sentence before the comma, and the intergovernmental transparency provided for in the second half of the sentence. One could argue that the fact that Article 13(3) also notes that ‘reports may exclude commercially sensitive or national security information’ suggests that it is the intention of the treaty to provide for public transparency. Most of the ATT States Parties that have provide an annual report on arms exports and imports have accepted this public transparency approach, yet several have also indicated that they have withheld information from the report due to commercial sensitivities or national security.

Article 13(3) of the ATT also provides some flexibility for States Parties with regards to the sources of information for their reports. UN Member States are requested to provide information for UNROCA on their actual exports and imports of conventional arms. In other words, the reports should contain data on deliveries that have taken place. ATT States Parties can elect to provide such information in their ATT annual reports, in accordance with the provisions in the Treaty to provide the same information for the ATT and UNROCA. Alternatively, States Parties can provide information on authorizations, in other words on licences issued for exports or contracts signed for imports. This flexibility reflects the fact that several Member States indicated that they use such sources for providing information on international transfers of SALW for the UNROCA.³⁴ It has recently been revealed that UN Member States use information on authorizations for their UNROCA submissions for other categories too.³⁵

The ATT does not provide a form or template for reporting exports and imports of conventional arms in the treaty nor in an annex to the treaty. Article 13(3) provides some guidance in noting that a State Party can provide the same information in its ATT annual report as it provides in its UNROCA submission, in order to address concerns that ATT reporting provisions would introduce a new reporting burden for ATT States Parties. States Parties decided in late 2014 to establish an informal working group on transparency and reporting, which was tasked with the development of standardized templates for both the ATT initial reports on implementation measures and ATT annual reports on exports and

³² UNGA, *Arms Trade Treaty*, art. 13.3

³³ Control Arms Secretariat, *ATT monitor*, p. 19.

³⁴ Holtom, *Transparency in transfers*, pp. 23-6.

³⁵ An analysis of information provided by UN Member States in their UNROCA submissions for calendar years 2016 and 2017 indicates that 36 UN Member States provided information on actual exports and imports compared to four Member States that provided information on authorizations.

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imports of conventional arms.³⁶ The informal working group produced a draft annual reporting template, which combined the UNROCA standardized form for reporting on international transfers of conventional arms and the form for providing background information on international transfers of SALW. The informal working group developed ATT reporting templates that contained three key differences when compared to the UNROCA standardized forms:

- First, the ATT annual reporting template provides space for States Parties to indicate if the data provided relates to authorizations and/or actual exports and imports.
- Second, it offers the option to report on the number of units exported or imported and/or their financial value.
- Third, the UNROCA standardized form provides a column for ‘intermediate location’, which is not included in the ATT annual reporting template.

The annual reporting template was not adopted at the first Conference of States Parties (CSP1) for the ATT in 2015.³⁷ Following minor revisions in 2016, CSP2 endorsed the template and recommended it for use by States Parties. However, it is not compulsory for ATT States Parties to use the standardised reporting template. The Conference also decided to keep the template and procedures for making reports publicly available ‘under review’.³⁸ The ATT working group on reporting and transparency has continued to support ATT State Party reporting on international transfers of conventional arms. Given the fact that ATT States Parties can provide the same information for UNROCA and the ATT annual report, the ATT working group on reporting and transparency and civil society organizations and research institutions have developed various tools to help reduce the reporting burden for States.³⁹ In preparation for the third conference of ATT States Parties, Belgium led on the development of guidance to help ATT States Parties better understand how to fulfil their obligations under Article 13(3) of the ATT, in the form an FAQ guide entitled: *Reporting authorized or actual exports and imports of conventional arms under the ATT: questions and answers*.⁴⁰ The FAQ approach taken for the guidance resembles the guidance document prepared by the UNODA for UNROCA reporting.⁴¹ Also, like the UNROCA, the ATT Secretariat has led the development of an online reporting tool, which has been introduced for use for ATT States Parties reporting in 2019.

IV

ATT annual reports on exports and imports of conventional arms are the primary method for assessing the application of the ATT and demonstrating that national systems are in place that maintain records of actual or authorised exports and imports of conventional arms. As noted above, the submission of annual reports to the ATT Secretariat is a legally-binding obligation, in contrast to the political commitment of participation in the UNROCA. This section presents an overview of reporting for the first three years of ATT annual reports, those submitted during 2016-18 and covering authorization or actual

³⁶ ATT Secretariat, ATT/CSP1/2015/WP.4.

³⁷ ATT Secretariat, ATT/CSP1/2015/6, para. 36.

³⁸ ATT Secretariat, ATT/CSP2/2016/5, para. 25.

³⁹ ATT-BAP, *Reporting guidance*; UNIDIR, *Reporting on conventional arms*.

⁴⁰ ATT Secretariat, ATT/CSP3.WGTR/2017/CHAIR/159/Conf. Rep.

⁴¹ UNODA, *The global reported arms trade*.

international transfers of conventional arms that took place during calendar years 2015-17.

The first ATT annual reports were due to be submitted to the ATT Secretariat by 31 May 2016, providing information on authorizations and/or actual exports and imports of the eight categories of conventional arms covered by Article 2(1) of the treaty that took place during the calendar year 2015. Reporting for this first year gave a positive initial sign. A total of 61 ATT States Parties were due to report by 31 May 2016. Twenty-eight States Parties reported by this date, but a total of 51 ATT States Parties submitted an annual report on conventional arms transfers that took place during the 2015 calendar year. Of these 51 States Parties, three submitted a report even though they were not due to submit their first annual report until 31 May 2017. Thus, of the 61 ATT States Parties due to report, 48 did so, representing 79 per cent of the total reports due. While the number of annual reports submitted on time and overall has increased year on year, the percentage of ATT States Parties that are fulfilling their obligation to report is in decline (see Table 1). Thus, 68 per cent of the 75 ATT States Parties due to report by 31 May 2017 fulfilled their reporting obligation for calendar year 2016, dropping to 61 per cent of 89 States Parties due to report for 2017 by 31 May 2018.

Table 1. ATT Annual Reports for calendar years 2015-17

ATT State Party	Region	Level of economic development	Freedom House Score	ATT Annual Report (year of transfers)			Last UN Register submission (year of transfers)
				2015	2016	2017	
Albania	Europe	UMI	PF	✓	✓	✓	2017
Antigua and Barbuda	Americas	SIDS	F	-	-	-	2010
Argentina	Americas	UMI	F	✓	✓	✓ *	2017
Australia	Oceania	HI	F	✓	✓	✓	2017
Austria	Europe	HI	F	✓	✓	✓	2017
Bahamas	Americas	HI (SIDS)	F	-	-	-	2011
Barbados	Americas	HI (SIDS)	F	NRR	-	-	2003
Belgium	Europe	HI	F	✓	✓	✓	2017
Belize	Americas	UMI (SIDS)	F	NRR	-	-	2010
Bosnia and Herzegovina	Europe	UMI	PF	✓	✓	✓	2017
Bulgaria	Europe	UMI	F	✓	✓	✓	2017
Burkina Faso	Africa	LI	PF	-	✓	-	2006
Cape Verde	Africa	LMI (SIDS)	F	NRR	NRR	-	
Central African Republic	Africa	LI	NF	NRR	NRR	-	1995
Chad	Africa	LI	NF	NA	-	-	1994
Costa Rica	Americas	UMI	F	✓	✓	✓	2008
Cote d'Ivoire	Africa	LMI	PF	NA	-	-	2002
Croatia	Europe	UMI	F	✓	✓	✓	2014
Cyprus	Asia	HI	F	NRR	NRR	✓ *	2017
Czechia	Europe	HI	F	✓	✓	✓	2017

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Denmark	Europe	HI	F	✓	✓	✓	2014
Dominica	Americas	SIDS	F	NRR	-	-	2010
Dominican Republic	Americas	UMI (SIDS)	PF	✓	✓	✓	2010
El Salvador	Americas	LMI	F	✓	✓	✓	2015
Estonia	Europe	HI	F	✓	✓	✓	2015
Finland	Europe	HI	F	✓	✓	✓	2017
France	Europe	HI	F	✓	✓	✓	2017
Georgia	Asia	LMI	PF	NRR	NRR	✓	2007
Germany	Europe	HI	F	✓	✓	✓	2017
Ghana	Africa	LMI	F	NRR	NRR	-	2007
Greece	Europe	HI	F	NRR	✓ ~	✓ *	2017
Grenada	Americas	SIDS	F	-	-	-	2014
Guatemala	Americas	LMI	PF	NRR	NRR	-	2007
Guinea	Africa	LI	PF	-	-	-	
Guyana	Americas	UMI (SIDS)	F	-	-	-	2010
Hungary	Europe	HI	F	✓	✓	✓	2017
Iceland	Europe	HI	F	-	-	-	2013
Ireland	Europe	HI	F	✓	✓	✓	2017
Italy	Europe	HI	F	✓	✓	✓	2017
Jamaica	Americas	UMI (SIDS)	F	✓	-	-	2014
Japan	Asia	HI	F	✓	✓	✓	2017
Latvia	Europe	HI	F	✓	✓	✓	2017
Lesotho	Africa	LMI	PF	NRR	NRR	-	2005
Liberia	Africa	LI	PF	✓ ~	✓ *	-	
Liechtenstein	Europe		F	✓	✓	✓	2017
Lithuania	Europe	HI	F	✓	✓	✓	2017
Luxembourg	Europe	HI	F	✓	✓	✓	2017
Madagascar	Africa	LI	PF	NRR	NRR	✓ *	2010
Mali	Africa	LI	PF	✓	-	-	2006
Malta	Europe	HI	F	-	-	✓	2012
Mauritania	Africa	LMI	NF	NRR	-	-	1994
Mauritius	Africa	UMI (SIDS)	F	NRR	✓	✓	2012
Mexico	Americas	UMI	PF	✓	✓	✓	2015
Moldova	Europe	LMI	PF	NRR	✓	✓	2017
Monaco	Europe		F	NRR	NRR	-	2017
Montenegro	Europe	UMI	PF	✓	✓	✓	2016
Netherlands	Europe	HI	F	✓	✓	✓	2017
New Zealand	Oceania	HI	F	✓	✓	✓	2009
Niger	Africa	LI	PF	NRR	-	-	2005
Nigeria	Africa	LMI	PF	-	-	-	
Norway	Europe	HI	F	✓	✓	✓	2014
Panama	Americas	UMI	F	✓	✓ *	✓	2008
Paraguay	Americas	UMI	PF	✓ ~	✓	-	2006
Peru	Americas	UMI	F	NRR	NRR	✓	2010
Poland	Europe	HI	F	✓	✓	✓	2017
Portugal	Europe	HI	F	✓	✓	✓	2017

PAUL HOLTOM

Romania	Europe	UMI	F	✓	✓	✓	2017
St Kitts and Nevis	Americas	(SIDS)	F	-	-	-	2005
St Lucia	Americas	(SIDS)	F	-	-	-	2006
St Vincent and the Grenadines	Americas	(SIDS)	F	-	-	-	2008
Samoa	Oceania	UMI (SIDS)	F	✓	-	-	2011
San Marino	Europe		F	NRR	-	-	2013
Senegal	Africa	LI	F	✓	✓ *	✓	2017
Serbia	Europe	UMI	F	✓	✓	✓	2017
Seychelles	Africa	(SIDS)	PF	NRR	NRR	-	2008
Sierra Leone	Africa	LI	PF	✓	✓	✓	2006
Slovakia	Europe	HI	F	✓ *	✓	✓	2017
Slovenia	Europe	HI	F	✓	✓	✓	2017
South Africa	Africa	UMI	F	✓	✓	✓	2016
Spain	Europe	HI	F	✓	✓	✓	2017
Sweden	Europe	HI	F	✓	✓	✓	2017
Switzerland	Europe	HI	F	✓ ~	✓	✓	2017
FYROM	Europe	UMI	PF	✓	✓	✓	2017
Togo	Africa	LI	PF	NRR	NRR	-	2007
Trinidad and Tobago	Americas	HI (SIDS)	F	-	-	-	2014
Tuvalu	Oceania	(SIDS)	F	NRR	-	✓	2006
UK	Europe	HI	F	✓	✓	✓	2017
Uruguay	Americas	HI	F	✓	✓	✓	2015
Zambia	Africa	LMI	PF	NRR	NRR	-	2006
TOTAL REPORTS SUBMITTED				51	52	54	
Reports not due but submitted				3	1	0	
Total reports due				61	75	89	
Reports due and submitted				48	51	54	
Percentage of due reports submitted				79%	68%	61%	
Reports not due but submitted				3	1	0	
Number of reports not made publicly available				1	3	4	

Notes: For the column that indicates level of economic development: ‘HI’ indicates a ‘high income country’; ‘UMI’ indicates a ‘upper-middle income country’; ‘LMI’ indicates a ‘lower-middle income country’; ‘LI’ indicates a ‘low income country’; (SIDS) indicates ‘small island developing state’.

For the column that indicates Freedom House score: ‘F’ indicates ‘Free’; ‘PF’ indicates ‘partly free’; ‘NF’ indicates ‘Not Free’.

‘✓’ indicates report submitted; ‘NRR’ indicates ‘no report required’; ‘-’ indicates report due but not submitted; ‘*’ indicates report not made publicly available; ‘~’ indicates report submitted but not required to do so

Sources: ATT Secretariat, ‘Reporting: Status as of 16 April 2019’; Freedom House, ‘Freedom in the World’; UN, *WESP Report 2018*; UNROCA.

Overall, 61 ATT States Parties have submitted at least one ATT annual report, of which 52 have submitted a report for every year for which they are obliged to report. Twenty-eight States Parties that are due to report have never reported, of which 11 were due to

report for all three years. Japan is the only State Party in Asia due to report for the years 2015-17 and has reported every year. The three States Parties in Oceania due to report on their 2015 activities all reported, but this dropped to two out of four for 2016 and then up to three out of four for 2017. Of the three regions that represent most of the ATT States Parties due to report, Europe has the highest level of participation with more than 90 per cent of States Parties due to report in this region doing so each year. The level of reporting by States Parties in Africa and the Americas is largely comparable. More than half of States Parties in these two regions submitted an annual report for 2015 but the percentage has been in decline for the next two years for both regions to around a quarter of States Parties in Africa reporting for 2017 and about a third for the Americas (see Table 1). The ATT working group on transparency and reporting and the Arms Trade Treaty-Baseline Assessment Project have separately distributed questionnaires to find the reasons for non-compliance with the reporting obligation, but the limited number of returns prevents one from understanding the challenges and obstacles faced by all non-reporting States Parties.⁴²

Therefore, this article has looked for reasons that could help to explain why some States Parties are able to report. First, there is a strong correlation between ATT States Parties that are participating States of the Wassenaar Arrangement and those that report – all 34 ATT States Parties that are participating States of the Wassenaar Arrangement have submitted an annual report for every year due. All EU Member States and those located in South-Eastern Europe that submit information for regional and sub-regional reports on arms exports also submit ATT annual reports. There is not a particularly strong correlation between states parties to CITAAC and ATT States Parties located in the Americas. So, while regional and multilateral reporting instruments could help to explain reporting for the Euro-Atlantic region and States with well-developed transfer control systems, this is not the only reason for explaining why ATT States Parties report.

Robert J. Lemke and James J. Marquardt have argued that the nature of a state's political system can help to determine whether it will submit a report to the UNROCA, by looking at reporting records against Freedom House scores.⁴³ For the ATT, this approach does not help understand reporting or non-reporting as 73 per cent of the 46 ATT States Parties identified as 'free' in Freedom House's scores for 2018 have submitted an ATT annual report compared to 70 per cent of the 16 States Parties assessed as 'partly free'. None of the three States Parties considered 'not free' have yet reported (see Table 1). James H. Lebovic noted the weakness of this approach for analysing reporting to UNROCA and determined that 'a state's capacity' is a key factor for explaining participation.⁴⁴

Therefore, this article sought to determine 'state capacity' by using the level of economic developed as assessed by the 2018 World Economic Situation and Prospects (WESP) report. Thirty-five of the 89 States Parties due to submit an ATT annual report for at least one of the calendar years 2015-17 were classified as 'high income countries', compared to 21 'upper-middle income countries', 11 'lower-middle income countries', and 11 'low income countries' (see Table 1).⁴⁵ Of these States, 89 per cent of 'high income countries' and 86 per cent of 'upper-middle income countries' submitted at least one annual report, compared to 36 per cent of 'lower-middle income countries' and 45 per cent of 'low income countries'. Further, only 28 per cent of small island developing states (SIDS) have submitted at least one annual report. Therefore, the level of economic development of an

⁴² ATT Secretariat, ATT/CSP4.WGTR/2018/CHAIR/357/M2.SumRep, para. 33; ATT-BAP, 'Lessons learned'

⁴³ Lemke and Marquardt, 'Freedom and transparency', pp. 343-68.

⁴⁴ Lebovic, 'Democracies and transparency', pp. 559-60.

⁴⁵ UN, *WESP Report*, pp. 144-5.

ATT State Party appears to be a good indicator for annual reporting. Therefore, this is an issue that could be addressed to some extent by awareness-raising and capacity-building activities, which could be supported via the Arms Trade Treaty Voluntary Trust Fund (ATT VTF).

In order to determine whether the ATT has increased transparency in international arms transfers, this article compares the first three years of ATT annual reports with submissions to the UN Register on international transfers of seven categories of conventional arms and international transfers of SALW. The United Nations Office for Disarmament Affairs (UNODA) indicated that 50 UN Member States reported to the UNROCA for calendar year 2015, 54 for 2016, and 56 for 2017.⁴⁶ As far as can be discerned from available data, 30 Member States reported to both the ATT and UNROCA for 2015, 29 for 2016, and 35 for 2017 (see Table 1). Therefore, for each of these years, around 20 ATT States Parties submitted an ATT annual report but did not report to the UNROCA. There are no ATT States Parties that reported to the UNROCA and did not provide an ATT annual report during these years. Only four ATT States Parties due to report for the calendar years 2015-17 have never reported to the Register,⁴⁷ of which only Liberia has submitted an annual report to the ATT Secretariat for 2015-17. Of the 23 ATT States Parties that did not report to the UNROCA for the calendar years 2008-17, seven did submit at least one ATT annual report for 2015-17. Therefore, in quantitative terms the ATT has increased transparency in international arms transfers compared to the Register, as UN Member States that have never reported to the Register or which stopped reporting have submitted an ATT annual report. Moreover, the fact that around 20 UN Member States are fulfilling their ATT obligation to provide an annual report, but not reporting to the UNROCA, gives an increase in the number of States providing information on international transfers of conventional arms for public review than would be found in UNROCA alone. Nevertheless, the combined number of reports for the ATT and UNROCA is still not as high as the number of UN Member States that reported to UNROCA during 2001-9.

At the same time, more than half of the ATT States Parties that have submitted an ATT annual report are 'regular reporters' for the UNROCA or publish information in annual national or regional reports on arms exports. The information provided by such States Parties in their ATT annual reports is the same as information provided in UNROCA submissions or other reports on arms transfers. While this is in line with the provisions contained in ATT Article 13(3), under which the same information can be provided in an ATT annual report and UNROCA submission, this means that the ATT is not providing more information or increasing transparency in international arms transfers for such States. However, as will be discussed below, of more concern is the fact that in several cases States Parties appear to be providing less information in their ATT annual reports than they used to in their UNROCA submissions, in particular aggregating data or omitting certain types of information.

Non-governmental organizations expressed concerns during ATT Conferences of States Parties and related events that ATT States Parties would submit their annual reports and indicate that these reports shall not be made available for the public. While the number of States Parties that have requested that their annual reports be restricted for access by other States Parties only is low, there is a worrying upwards trend in the number of States Parties that are requesting that their annual reports are not made publicly available. While only

⁴⁶ UNODA, *The UN Register*.

⁴⁷ These four ATT States Parties are: Cabo Verde, Guinea, Liberia, and Nigeria.

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Slovakia indicated that its ATT annual report for 2015 should be for States Parties only, three States Parties selected this option for 2016 and four for 2017. It is worth noting that no ATT State Party has yet requested more than one annual report to be restricted access – the only reports submitted by Cyprus and Madagascar are restricted access. Therefore, in total, eight States Parties have indicated that one annual report should be made available for States Parties only. However, the year for which Argentina, Cyprus, Greece, and Slovakia made their ATT annual reports available for States Parties only, these States also reported to the UNROCA and their submissions were made publicly available on the UNROCA website; while the restricted access ATT annual reports for Liberia, Madagascar, Panama, and Senegal have no counterpart in the UNROCA. Liberia's report for 2016 is restricted access, while its 2015 report is publicly available and no report has been submitted for 2017. Panama and Senegal have each submitted three annual reports, restricting access to the submissions for 2016 only. No public explanations have been given by these States Parties for why their reports are restricted access. The ATT Secretariat has suggested that there is some confusion on the part of ATT States Parties regarding the tick box on the annual reporting form for this issue and that some States Parties have mistakenly indicated that the report should be restricted access. Therefore, it does not appear that the option to restrict access to annual reports for States Parties only has had a positive impact on reporting – i.e. States Parties are providing information in ATT annual reports but not for the UNROCA because the latter makes the information publicly available. That said, while 61 ATT States Parties have submitted at least one annual report to the ATT Secretariat, the submissions for only 59 ATT States Parties can be assessed in this article because Cyprus and Madagascar have not yet submitted a publicly available report.

Ten States Parties have indicated at least once that information has been withheld from their ATT annual reports because it is considered commercially sensitive or related to national security considerations.⁴⁸ Five of these ATT States Parties have indicated that such information is restricted access twice,⁴⁹ and one has done it for all three reports.⁵⁰ Australia, for instance, indicates that information on imports for the Australian National Defence Forces had been 'withheld', while Sweden provides information on the destinations of its light weapons exports but did not indicate either the number of units or the value. Although this indicates that these reports are not fully transparent, they are being open about this issue in a way that they were not required to do so for their UNROCA submission.

On the other hand, there is aggregation of data and omission of data that indicates a worrying trend for transparency in international transfers. For example, Bosnia and Herzegovina and Jamaica aggregated the list of importers and exporters for each small arms subcategory. Denmark and Norway identified only some of their export destinations and import sources. Croatia identified importers by subcategory in its UNROCA submissions for 2011–15 but has not identified importers, in any form, in its ATT annual reports. Further, Italy has submitted a different format for its information each year, gradually providing less and less information in each return – with its UNROCA submission for 2017 also failing to conform with the minimum expected information. Italy's first annual report provided disaggregated information on number of items for each category for each recipient state, helping it to achieve the status of one of the world's most

⁴⁸ These ten States Parties are: Bulgaria, Croatia, Finland, Germany, Greece, Italy, Mauritius, Norway, South Africa, and Sweden.

⁴⁹ These five States Parties are: Bulgaria, Finland, Germany, Italy, and Norway.

⁵⁰ Greece and Mauritius have only submitted one publicly available report.

transparent exporters according to the Small Arms Survey.⁵¹ For its second and third ATT annual reports, Italy has provided aggregated totals for the number of items exported for each category in the categories of the ATT and then an annex for SALW transfers that provides a list of partner States and an aggregated total of SALW exported and imported for each State. For the third report, there is a distinction between small arms on one hand and light weapons on the other. Therefore, there are concrete examples of where ATT States Parties are becoming less open and transparent with regards to the quality of information and level of detail provided in their ATT annual reports compared to their previous reporting practices for the UNROCA. As noted in the examples above, this is particularly the case for reporting on international transfers of SALW.

One key difference between the scope of the UNROCA and the ATT for reporting purposes is the inclusion of SALW as an eighth category on the ATT reporting form. Sixty-three of the 89 States Parties due to report for calendar years 2015-17 have provided information on international transfers of SALW at least once for the UNROCA. Of the 59 States Parties that have submitted a publicly available annual report, 50 have provided information on international transfers of SALW to the Register at least once.⁵² Therefore, nine States Parties have provided information on international transfers of SALW that did not do so for the UNROCA.⁵³ In quantitative terms, it would seem that the ATT has increased transparency in international transfers of SALW.

Forty-seven ATT States Parties have provided information on international transfers of SALW using the sub-categories contained in the ATT reporting template. Austria and Belgium provided information on SALW using the definition provided by Category 1 of the Wassenaar Arrangement Munitions List and EU Common Military List to define small arms for their ATT annual reports, while Japan provided information on small arms transfers disaggregated by Comtrade categories 9301, 9302, and 9303. In addition, Australia uses the subcategories when reporting on small arms imports but did not use the subcategories for reporting authorizations for firearms exports and Sweden utilizes the light weapons subcategories contained in the ATT reporting template but also uses Category 1 of the Wassenaar Arrangement Munitions List and EU Common Military List to define small arms for its ATT annual reports. Switzerland provides different information on SALW transfers in its ATT reports and submissions to the UNROCA because it provides only transfers to military end users for the UNROCA and for ‘private entities’ for the ATT. However, this information is already made publicly available in the Swiss annual report on the exports of SALW, which contains information not only on the number of units of SALW authorised for export but also the value of the licence – information that is not included in the ATT report. Therefore, while Switzerland provides more information on SALW exports in their ATT report compared to the UNROCA submission on international transfers of SALW, Switzerland is providing information that is made publicly available elsewhere already.⁵⁴ Therefore, the flexibility provided by the treaty for reporting on

⁵¹ Holtom and Pavesi, *Sub-Saharan Africa in Focus*, p. 39.

⁵² Twelve States Parties that have never submitted an ATT annual report have provided background information on international transfers of SALW at least once to UNROCA: Antigua and Barbuda, Bahamas, Ghana, Grenada, Guyana, Iceland, St Lucia, St Vincent and the Grenadines, San Marino, Swaziland, Togo, and Trinidad and Tobago. Of the two States Parties that have only submitted restricted access ATT annual reports, Cyprus has provided background information on international transfers of SALW to the UNROCA, while Madagascar has not.

⁵³ These nine States Parties are: Burkina Faso, Costa Rica, Dominican Republic, Liberia, Mauritius, Paraguay, Sierra Leone, South Africa, and Tuvalu.

⁵⁴ See for example: Switzerland, *Le contrôle à l'exportation*.

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international transfers of SALW is being used by some ATT States Parties to provide more information on international transfers of SALW in comparison to submissions to UNROCA. At the same, time, more ATT States Parties seem to provide less detailed information in their ATT annual reports compared to information provided in their UNROCA submissions. There is cause for concern with regards to the quality of information provided on such transfers in many ATT annual reports.

V

The title of this article asked if the ATT has the potential to increase transparency in international transfers of conventional arms. The first sections of this article indicated that it does provide for opportunities to arrest the decline in reporting on international transfers of conventional arms, including SALW, to UNROCA. Reporting to UNROCA at the turn of the millennium seemed to show that the norm of transparency in international arms transfers was fairly well-established, with 89 per cent of UN Member States reporting to the UNROCA at least once and 65 per cent of UN Member States providing information in 2002. The first year of reporting on exports and imports of conventional arms under the ATT corresponded to the lowest level of reporting to UNROCA, with around a quarter of UN Member States participating in UNROCA. Therefore, it was hoped that the ATT could reinvigorate the trend in reporting on international transfers of conventional arms.

The first year of ATT annual reports was very positive, with 79 per cent of ATT States Parties due to report providing an annual report; and three States Parties providing a voluntary report. While the number of ATT States Parties providing an annual report to the ATT Secretariat has increased year-on-year, the percentage of ATT States Parties that are fulfilling their annual report obligations is in decline. The preliminary analysis contained in the section above suggests that rather than a 'reporting burden', States Parties that have other obligations to report on international transfers of conventional arms to other instruments and mechanisms are well-placed to fulfil their ATT reporting obligations. Reporting could be a challenge for States Parties with low levels of economic development, but this does not exclude the possibility that there are other reasons for non-compliance with the reporting obligation. Therefore, use of the ATT VTF for capacity-building for SIDS and States Parties with 'low income' and 'lower-middle income' could provide benefits for these States.

While the quantitative analysis suggests that the ATT can increase transparency in international arms transfers by increasing the number of the States that report on imports and exports of conventional arms, there are several worrying tendencies in ATT reporting to date. First, although still at a low level, it is disconcerting that the number of States Parties that choose to limit access to their reports to ATT States Parties only is increasing; and that two States Parties that reported for the first time in 2018 on their activities in 2017 chose this option. Second, the way in which States Parties that previously reported regularly and with detailed information on their imports and exports of conventional arms have taken to aggregating their data and not providing information on exporting or importing States. By not indicating the States to which conventional arms are being exported to, or imported from, it is not possible to assess whether these States Parties have record-keeping systems in place or if their transfers are being undertaken in accordance with Articles 6, 7, and 11 of the ATT. This is perhaps the most worrying negative tendency in ATT reporting.

The ATT can increase transparency in international transfers of conventional arms, but it has had a rather inauspicious start. The positive tendencies in reporting by States Parties in regions that have not been regular reporters for UNROCA is welcome. This tendency clearly shows the benefits of the ATT for increasing transparency, especially as more States Parties from Africa and the Americas become obliged to report. Based on the current situation, States Parties in these regions should be encouraged to seek ATT VTF funding to support capacity-building efforts to enable their reporting. On the other hand, the ATT should not allow States Parties to take advantage of the flexible approach to reporting contained in Article 13(3) to aggregate data and omit information from ATT annual reports that no longer makes it possible for other States Parties or interested stakeholders to use their annual reports to assess compliance with Articles 6, 7, and 11 of the treaty. The ATT can still fulfil its potential and increase transparency in the international arms trade in order to build confidence between States Parties and foster peace, security, stability, and sustainable development. But it requires a willingness by States Parties to implement the treaty's reporting obligations in good faith, and for non-governmental organizations to remain vigilant and highlight backsliding in reporting before obfuscation of information becomes a 'norm' in transparency in international transfers of conventional arms.

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Challenges in Developing a Risk Assessment Criteria for Arms Transfers in Southeast Asia

By MITZI AUSTERO* and PAULEEN GOROSPE**

This article looks into the challenges of developing criteria for the risk assessment of arms transfers in Southeast Asia, carefully considering the region's experiences with armed conflicts, high levels of armed violence, and proliferation of weapons. Distinct regional experiences call for a regional approach. Informal and sub-national cooperation in the region, which is used more than the Association of Southeast Asian Nations (ASEAN)'s official regional mechanisms, can help build and strengthen formal structures to support arms control regimes and encourage national governments to adopt international instruments. This pragmatic approach incorporates disparities in the levels of development, presence of armed conflicts, and the different security needs of each country, which can complement international agreements, such as the Arms Trade Treaty (ATT). This article recommends a regional focus on the risk assessment for arms transfers, including national and regional contexts to ease the adoption of international agreements in the region.

In Southeast Asia, the adoption of the Arms Trade Treaty (ATT) has remained low despite the urgency of arms control in the region. Since the ATT was passed in 2013, five countries have signed it: Cambodia, Malaysia, the Philippines, Singapore, and Thailand. As of writing this article, no state has ratified or acceded to the ATT. However, this does not necessarily signify an unwillingness to adopt or implement it. This article shows that national mechanisms for regulating arms transfers are present in some Southeast Asian (SEA) countries. In others, the lack or absence is due to political reasons or other priorities. Nuancing these issues against broader multilateral agreements can help overcome these challenges and move towards the adoption and universalization of the ATT and similar agreements.

The SEA region has experienced various internal armed conflicts, particularly in Indonesia, Myanmar, the Philippines, and Thailand, resulting in hundreds of deaths and millions of displaced civilians. The conflict in Western New Guinea between the indigenous populations and the government of Indonesia is still ongoing. Myanmar is dealing with several ethnic armed groups, of which the most widely known is the rising Rohingya armed group. Though the Philippines has been tackling Communist and Muslim insurgencies for decades, peace talks with Muslim armed groups have progressed as

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expected so far, though not without threats from ISIS-inspired armed groups who have recently clashed with government officials in Marawi City. In Thailand, deaths due to gun and explosive violence continue to plague the Deep South despite the opening of peace negotiations with rebel armed groups.

Apart from internal armed conflicts, territorial disputes occasionally become the subject of foreign relations. Several states in the region have laid claim to sections of the disputed South China Sea, namely, Brunei, Indonesia, Malaysia, the Philippines, and Vietnam. Although not the primary driver of increasing arms imports, opposition against China's territorial claims has increased the demand for weapons importation over the last five years, along with defence modernization and assertions of sovereignty. In a region where differences in levels of development are stark and underdevelopment is a constant concern, military spending is not the sole priority in these developing countries (see Figure 1). However, data show that military spending in some SEA countries has seen a steady increase in recent years (see Figure 2).

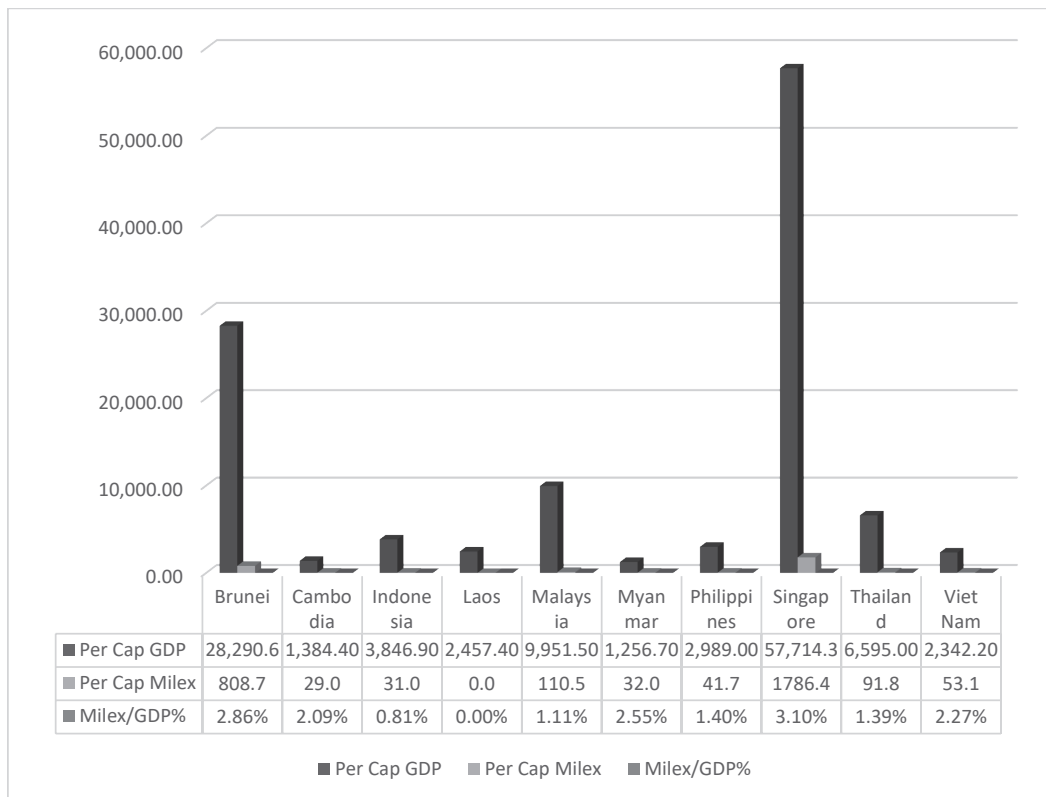


Figure 1 - Per Capita GDP and Per Capita Military Expenditure in ASEAN (2017)

Note: *Laos' military expenditure data for 2017 is unavailable

Source: SIPRI Military Expenditure Database¹

¹ Stockholm International Peace Research Institute, *Military Expenditure Database 2017*.

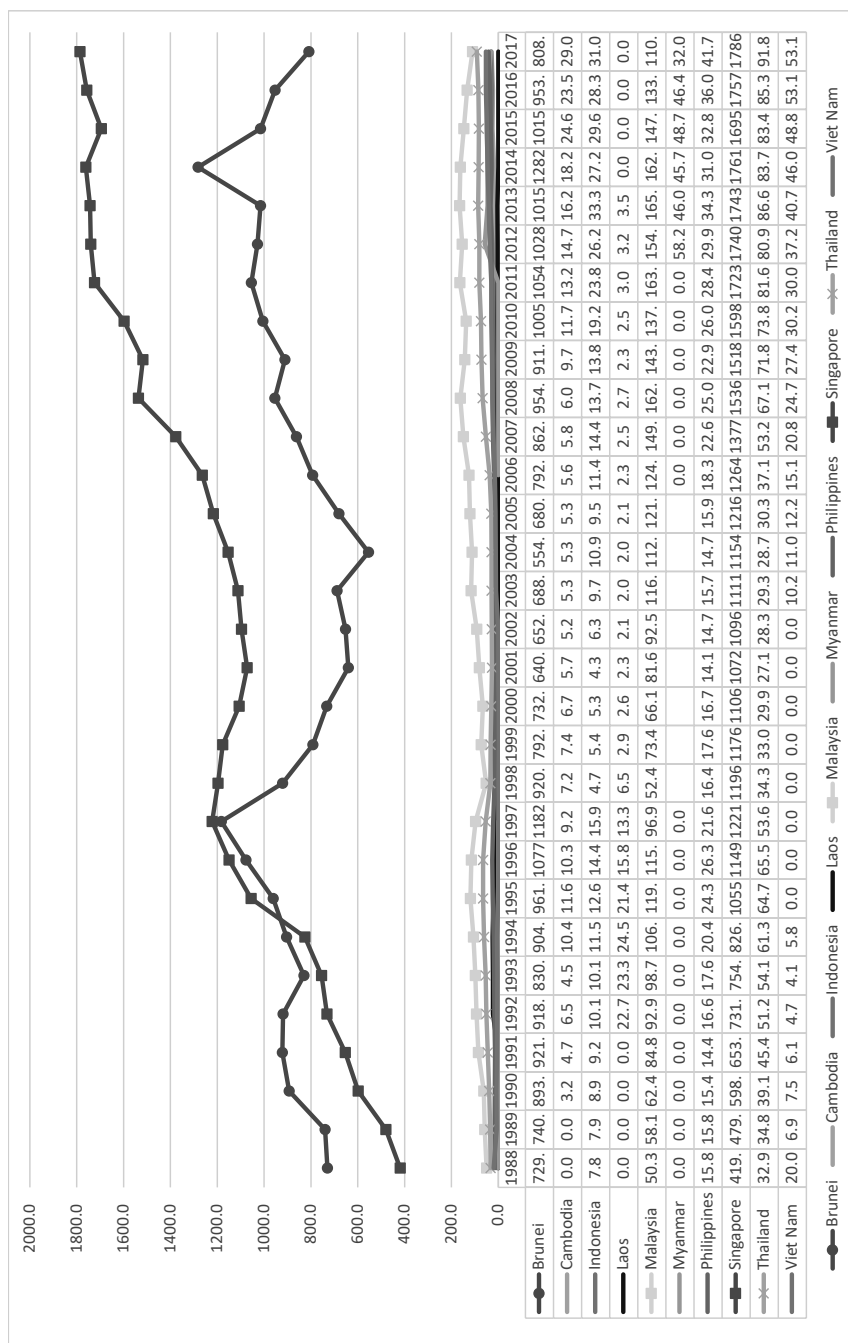


Figure 2 - Per GDP Military Spending ASEAN (1988-2017)

Note: Data for Myanmar for years 1997-2005 are unavailable.

Source: SIPRI Military Expenditure Database²

² Ibid.

The potential for arms flows to be diverted from state-authorized use to any of these internal conflicts increases with the magnitude of arms imports, making it imperative to monitor arms transfers and usage closely. To date, a region-wide acceptance of the dangers of arms diversion and trafficking has been demonstrated by both the statements from the Association of Southeast Asian Nations (ASEAN) and the individual states' efforts to create domestic structures that regulate arms transfers. Basic regulatory policies exist. However, these policies are not currently sufficient to cover the lifecycle of arms in regional trade, something the ATT risk assessment process is supposed to fill. The challenge rests in how SEA countries can adopt these provisions and apply them to their current national and regional mechanisms to ensure that arms are transferred to their intended recipients and not diverted to conflict areas.

This article has five parts. The first part provides a short discussion of the ATT risk assessment process, especially its criteria. The second part is an overview of the existing treaties and international agreements adopted by SEA countries and the areas of regional arms trade they cover. The third part explains the nuances of the low priority for disarmament regimes in the region. The fourth part examines how arms proliferation contributes to the ongoing armed violence in the region and other risks that misuse of weapons pose to the civilian population and society at large. The fifth and concluding section provides recommendations for the adoption of more effective and efficient risk assessment mechanisms to address diversion issues in the region. This article recommends a combined formal and informal regional approach to facilitate the adoption of the ATT among SEA countries. This also serves to supplement unilateral implementation. Traditional perspectives on regionalism especially on the sometimes unilateral behaviour and actions of blocs do not apply in the SEA region.³ Instead, as shown in the following parts of the article, the SEA region has its own pragmatic, bottom-up approach to the implementation of international agreements, owing much to its attitudes on independence and state-building.

I

An important component of the ATT, intended to prevent the diversion of arms, includes the criteria espoused in Articles 6 and 7 of the ATT regarding prohibitions, export controls, and risk assessment. Article 6 is clear on which arms exports are prohibited. For example, 6.1 explicitly mentions 'obligations under measures adopted by the United Nations Security Council acting under Chapter VII of the Charter of the United Nations, in particular, arms embargos',⁴ while 6.2 declares that states shall not take any action that 'would violate its relevant international obligations under international agreements to which it is a Party, in particular, those relating to the transfer of, or illicit trafficking in, conventional arms'.⁵ While the first two provisions in Article 6 are straightforward, 6.3 narrowly defines the context of armed conflict by using the word 'knowledge': as stated, 'knowledge at the time of authorization that the arms or items would be used in the commission of genocide, crimes against humanity, grave breaches of the Geneva Conventions of 1949, attacks directed against civilian objects or civilians protected as such, or other war crimes as defined by the international agreements to which it is a Party'.⁶ This provision implies that

³ Norkevičius, 'Regional institutionalism in southeast Asia', pp. 98.

⁴ Arms Trade Treaty, Article 6.

⁵ Ibid.

⁶ Ibid.

exporters are given the discretion to determine whether to send an arms shipment or withhold authorization, in accordance with national legislation and mechanisms after sufficient due diligence has been conducted. Due diligence is critical to ensure that the items will not undermine peace and security, and will not be used to commit violations of International Humanitarian Law (IHL), International Human Rights Law (IHRL), offences relating to terrorism or transnational organised crime, or acts of gender-based violence.

Article 7, which addresses export and export assessment, provides a guideline to inform this decision. Article 7 requires that states consider the following dangers when making export determinations, along with those already mentioned: if the arms ‘(a) would contribute to or undermine peace and security; (b) could be used to (i) commit or facilitate a serious violation of international humanitarian law; (ii) commit or facilitate a serious violation of international human rights law; (iii) commit or facilitate an act constituting an offence under international conventions or protocols relating to terrorism to which the exporting State is a Party; or (iv) commit or facilitate an act constituting an offence under international conventions or protocols relating to transnational organized crime to which the exporting State is a Party.’⁷ The application of the risk assessment is expected to be done objectively. States must gauge whether an arms shipment provides an overriding risk of the weapons being used in violation of the ATT, though the definition of overriding risk is not indicated in the treaty’s text. The scale or extent of this overriding risk, however, is left to the state’s sense of whether these dangers exist.

The ATT also recognizes that export assessments require the cooperation of states to perform due diligence regarding importing parties. Article 7 highlights that states should endeavour to consider ‘relevant factors, including information provided by the importing State’⁸ regarding the importing party or end user. However, if the importing state provides little to no information, the exporting state has the sole responsibility to perform due diligence.

The lack of an objective scale for an overriding risk discourages several SEA countries from becoming parties. Some countries in the region have arms manufacturing companies who would like to have a clear scale to use. In addition, following the risk assessment guidelines in Articles 6 and 7 poses several challenges for SEA countries, who are concentrated on building capacity and technical expertise, something not all countries in the region or even the ASEAN regional mechanisms possess.

In order to establish proper assessment procedures, institutional capacity must be present and dedicated personnel should have the knowledge and practical understanding of the process. In lesser-developed arms export mechanisms, institutional capacity is a concern since knowledge, training, and expertise are not institutionalized. Given the limited resources of lesser-developed countries, there may not be enough individuals to receive the training. Furthermore, changes in government administration sometimes trigger a turnover of bureaucrats and civil servants before knowledge is retained by government institutions. Individuals thus retain the technical know-how and are sometimes not able to pass it down to their replacements or other personnel. Unless the person has attended conferences or training programmes where processes for other states are shared, he or she will have no prior knowledge. For example, an Applicant Exporter informed the relevant agency in Country A that an Importing End User in Country B is exempt from presenting an import permit, a typical documentary requirement before a transfer is authorised in Country A.

⁷ Ibid., Article 7.

⁸ Ibid.

The exemption was allegedly due to a policy in Country B. Officials in Country A could not access the information regarding Country B's import exemptions from the public record. Had the official in Country A not known an officer from Country B, Country A would not have been able to determine that the claim of exemption was inaccurate and that the Importing End User was not eligible.⁹

This lack of institutional memory is also due to a lack of documented or available information. In some countries, there is no easily accessible information on national processes for licensing, import, and export. National policies are not disseminated widely throughout the region, compelling ASEAN Member-States to conduct new research on each country's procedure for numerous transactions. The context of each export application must thus be assessed, so the prior information and public availability of this information are very important.

II

	Nuclear Ban	ATT	CCM	MBT
State-Party	Thailand Vietnam	None	Lao PDR Philippines	Brunei Cambodia Indonesia Malaysia Philippines Thailand
Signatory	Indonesia Lao PDR Malaysia Philippines	Cambodia Malaysia Philippines Singapore Thailand	Indonesia	None
Non-signatory	Brunei Cambodia Myanmar Singapore	Brunei Indonesia Lao PDR Myanmar Vietnam	Brunei Cambodia Malaysia Myanmar Singapore Thailand Vietnam	Lao PDR Myanmar Singapore Vietnam

Figure 3 - International Agreements involving SEA Countries

SEA countries are parties or signatories to a number of international agreements (see Figure 3). In most of these agreements, the capacity to implement is the foremost concern of the states. However, SEA countries tend to establish the laws and build the institutions first, before acceding to an international agreement. This can be interpreted from an outsiders' point of view as either inefficiency or unwillingness. However, for the SEA region, this process is consistent with each country's state building experience. With regards to the ATT, this approach also applies. In the words of government officers during consultations,

⁹ Personal communication, 5 August 2018.

‘Let’s build our national capacities first, then ratification follows’.¹⁰ While signing or ratification may be postponed, the passage of national legislation and expertise-building continues in individual countries. SEA has not become stagnant and has demonstrated its national strategies through national programme. There is also enough national support for the ATT in most ASEAN countries. Most SEA countries’ behaviour thus points towards laying the groundwork for implementation before legally submitting to the ATT. By focusing on effective capacity-building of national institutions and agencies directly involved in weapons flow regulation, concerns regarding compliance with the ATT may be alleviated. The bigger challenge for SEA countries is developing the capacity to apply the law, which can take several months to years. Because SEA countries are in different stages of development, poverty alleviation and underdevelopment take priority in national agendas alongside internal and external security, thus dividing limited resources and reducing the ability to implement national programmes promptly.

The lack of capacity and expertise is not the only issue in determining the adaptability of the ATT in the region. Apart from capacity, the export assessment has not been adopted in all the national control systems of SEA countries. The current national laws of most of the states in the region do not have clear criteria regarding arms trade. Because national systems of some form already exist, adoption requires that ATT provisions be translated to complement national laws for state agencies’ compliance. Since the ATT is not the sole international instrument to which ASEAN countries subscribe, and laws for these other agreements are already in place, adoption often requires the amendment of pre-existing laws or an overhaul of established organizations and institutions. Laws must be harmonized and procedures streamlined to include the scope and procedures laid out in the ATT. Problems arise not only when the ATT is supposed to address gaps in legislation and policy but also when other related instruments already address certain provisions of the ATT. There are many cases where national legislation and government offices that govern the policies concerning conventional weapons overlap with the scope of the ATT; hence, implementing agencies are thrown into confusion regarding jurisdiction to implement and oversee the transfers of relevant goods and items. These conflicting responsibilities cause competition and disagreement between national government agencies, further hindering institutional development in these countries. Instead of focusing on capacity-building for core implementing agencies, resources are diffused among a variety of government agencies to keep the knowledge and expertise within existing organizations part of the implementation of the ATT and to save time in the implementation process. Some provisions of these laws will require revision to concentrate expertise and resources on government agencies that oversee arms transfers in all forms, thus streamlining processes and increasing efficiency, especially in times of crisis. National laws should guide national implementing agencies, rules, and regulations.

Aside from domestic efforts, the ATT also emphasizes the need for international cooperation. Regional mechanisms are necessary to transcend the states’ capabilities to move the ATT towards ratification and application. Regional cooperation and assistance can complement national efforts in conducting due diligence and monitoring transfers. In ASEAN countries use informal channels along with formal ones. The use of informal mechanisms establishes rapport among sub-national agencies, especially law enforcement offices and eventually builds reliable information channels. The informal communication also facilitates information exchange and cooperation that would normally be encumbered

¹⁰ Personal communication, 3 May 2016.

by red tape if formal channels were used. While there is currently no inter-governmental group, such as the Regional Centre on Small Arms, in the region there are national experts who are unfortunately overlooked.

Dialogue and consultations with government agencies regarding the regulation of arms flows have revealed that this knowledge and technical know-how is concentrated on individuals. Individuals who are experts in various areas of dealing with weapons systems often possess advanced knowledge, for instance, from experts on the identification of dual goods in a national control list, to risk assessments of an arms import or export. Much of this personal knowledge is drawn from extensive experience in wars and armed conflicts and issues regarding the diversion of arms. Because these experiences revolve around secessionist movements within their countries, SEA countries also tend to be guarded, even towards each other. Internal conflicts contribute to a feeling of insecurity, which tends to contribute to governments becoming more vigilant to internal and external threats, making the confidentiality or secrecy surrounding existing weapons systems and their quantity imperative to national security. This lack of complete trust can hinder cooperation when crises emerge. In addition, the principle of non-intervention and the focus on protecting sovereignty draws from the region's history and experience with strong leaders, including Cambodia's Prime Minister Hun Sen, the Philippines' President Rodrigo Duterte, Thailand's military Prime Minister Prayuth Chan-ocha, Singapore's Prime Minister Lee Hsien Loong, Indonesia's Prime Minister Jokowi Widodo, and Malaysia's Mahathir, coupled with Myanmar's long ruling 'former military' led party. Any international treaty that could easily be perceived as intervening in another's affairs, sovereignty, or security will not be high in anyone's priorities.

The existing formal regional mechanisms do facilitate information exchange, and these exchanges happen on sub-national, agency, and individual levels. At the ministerial and state levels, there are ongoing bilateral and multilateral agreements through ASEAN and other means that promote cooperation on security issues, all of which can complement ATT's efforts. The existence of strong leadership in the region should transcend national borders and move towards regional solidarity, cooperation, and assistance. ASEAN was, after all, able to negotiate nuclear weapons issues in the region in its early years. Strengthening regional mechanisms with the ATT through formalization is therefore not an impossible task.

While informal exchanges and cooperation can supplement the lack of formal institutions and speed investigations and due diligence, this type of cooperation works best at the individual level and relies too much on personal rapport and relationships. Formalization is still important because it can help in institutionalizing practices. SEA countries must consider the creation of an ASEAN institution that will steer disarmament efforts in the region and facilitate the exchange of necessary information and technical expertise among countries in a timely and efficient manner. National approaches are currently more numerous and context-specific, and many national considerations and efforts to integrate at a regional level require inter-state coordination.

The lack of formal institutions and lack of transparency in arms transfers inhibit the strengthening of information and expertise exchange among SEA countries. While transparency has always been a thorny issue when dealing with weapon systems or matters that affect national security, trust is an important factor in forming and maintaining inter-state relationships.

III

The preference of SEA countries for informal mechanisms draws from the importance they accord to sovereignty, owing largely to their historical struggles with independence, state-building, and internal disputes. In this century alone, the region has seen numerous wars and armed conflicts, some of which have not yet been resolved. Their positions regarding arms procurement as a means of self-defence thus shape their views regarding the ATT. Promoting regional peace and security in the region would require these perspectives to be given importance, since arms procurement is inextricably linked with capacitating the state's self-defence. Development is now widely considered to be tied to security; hence, the term 'development-security nexus'. Global threats and challenges have moved states towards arming rather than disarming. Disarmament discussions can no longer be limited to security issues but instead should go hand in hand with economic development deliberations as a means to secure progress and development, which is a national priority for the majority of the states in SEA.

Recent data have shown that several states in the region are increasing their military spending. The data below, from SIPRI's 2018 Yearbook, include Indonesia in the top 10 importers of major weapons from 2013 to 2017 (Table 1).¹¹

Table 1 - Main Exporters and Importers of Major Weapons (2013-17)

Exporter		Global share (%)	Importer		Global share (5)
1	US	34	1	India	12
2	Russia	22	2	Saudi Arabia	10
3	France	6.7	3	Egypt	4.5
4	Germany	5.8	4	UAE	4.4
5	China	5.7	5	China	4.0
6	UK	4.8	6	Australia	3.8
7	Spain	2.9	7	Algeria	3.7
8	Israel	2.9	8	Iraq	3.4
9	Italy	2.5	9	Pakistan	2.8
10	Netherlands	2.1	10	Indonesia	2.8

Aside from political considerations, there is greater ease in increasing military spending for some SEA states due to steady economic growth. Economic development has allowed more resources to be allocated to upgrading and modernizing national defence forces and weaponry. However, the steady economic growth of some states in the region should take into consideration that these developments were also possible due to the reduction of armed violence and the resolution of internal conflicts, which is enshrined in the principles of humanitarian disarmament treaties like the ATT.

While signs currently point to SEA countries exhibiting more inward-looking policies,

¹¹ Stockholm International Peace Research Institute, *SIPRI Yearbook 2018: armaments, disarmament and international security (summary)*.

strong political will and leadership can also help in promoting universalization by appealing to each country's strength and convincing SEA countries to become champions. Strong and popular leadership means championing people's causes and aspirations, including those of their neighbouring countries. These aspirations also include greater security, sustainable peace, and more economic opportunities.

IV

The SEA region still experiences internal armed conflict, particularly in Indonesia, Myanmar, the Philippines, and Thailand. This section discusses these issues and the context in which the risk assessment criteria should be based: (1) to stop weapons from flowing into armed conflict areas; and (2) to help create a better environment for peace processes to move forward.

Indonesia

In Indonesia, violence continues to plague the West Papua region, due partially to existing separatist movements. The most recent clash, on 7 March 2019 between the National Liberation Army (TPNPB) freedom fighters and the Indonesian Army in Nduga Regency, has sparked renewed fears of armed violence. The TPNPB even claims to have 'secured four weapons from the Indonesian army'¹² after the clash, which could potentially point to the diversion of weapons.

There is more than one separatist movement contributing to the fragile security of West Papua, along with the prevalence of other types of violence and conflicts arising from other root causes, such as resource-related and identity-based clashes. Further exacerbating this issue as well as being affected by the political turmoil, the homicide rate has increased to a level of five times higher than the national average.¹³ In West Papua, insecurity is aggravated not only by the existing armed conflict but also by disagreements rooted in historical issues that contribute to non-conflict-based violence.

Myanmar

Despite efforts to negotiate with numerous armed groups that have kept the government occupied, Myanmar's peace process is stalled and the Nationwide Ceasefire Agreement (NCA), signed on 15 October 2015, is neither fully implemented nor trusted. The NCA has only 10 armed group signatories out of 16 or a potential 20 that signed with the government: the All Burma Students' Democratic Front, Arakan Liberation Party, Chin National Front, Democratic Karen Buddhist Army - Brigade 5 (DKBA-5), Karen National Union, KNU/KNLA Peace Council, Lahu Democratic Union, New Mon State Party, Pa-O National Liberation Army, and the Restoration Council of Shan State. Over the past two years, the Arakan Army has shown its growing strength and has increased attacks in the broader Rakhine State, located on the Western coast. There are also pockets of armed clashes between other armed groups that have resulted in the displacement of countless civilians. The escalation of violence is complicating efforts for the returning Rohingya refugees; the displacement of the Rohingyas due to violence has already raised the number to 1,526,000 people.¹⁴

¹² The Jakarta Post, 'TNI soldiers killed in clash with West Papua liberation army'.

¹³ The Asia Foundation, *State of conflict and violence in Asia*.

¹⁴ United Nations Refugee Agency, 'Myanmar factsheet'.

Philippines

The Mindanao region in the Philippines still suffers from armed conflict despite the attempts of former and current presidents to seal a long-lasting peace agreement with Communist and Muslim insurgents. The five-decades-old conflict between the government of the Philippines and the Moro Islamic Liberation Front has resulted in over 120,000 deaths on both sides as well as civilian casualties.¹⁵ The country also has one of the highest numbers of internally displaced persons (IDPs) due to armed conflict in SEA, a large part of which are the conflicts in the southern part of the country. The Global Report on Internal Displacement 2018 has put this number at 645,000 IDPs in Mindanao alone, which constitutes 25.5% of the national total of 2,529,000.¹⁶ The Bangsamoro separatist movement, settled recently through a politically-negotiated peace process, was followed by the signing of the Bangsamoro Organic Law in 2018 and its ratification through plebiscites held on 21 January and 6 February 2019. This political settlement will grant the new Bangsamoro region expanded autonomy. So far, the attitude among the affected populations has been positive, with higher confidence that the effects of the political agreements would have a positive impact on reducing armed violence and displacement in the area. All that remains is the political transition to the new autonomous region and addressing the threat of ISIS-inspired groups in the region. Unlike the peace talks with Muslim armed groups, the Communist peace process has stalled and sees no immediate end in sight despite a promising cessation of hostilities during the early months of the Duterte administration.

Thailand

Conflict in southern Thailand due to the Malay-Muslim insurgency erupted in 2004 and has already resulted in the deaths of 7,000 people.¹⁷ Bombings and arson continue to threaten lives in the area. Despite the signing of an agreement in February 2013 between Thai government officials and the armed group Barisan Revolusi Nasional in Kuala Lumpur, peace remains obscure. Efforts to address the conflict and increase understanding of its root causes do not appear to command a high priority on the country's agenda.

The presence of ongoing armed conflicts in the four countries of SEA poses a risk that arms transfers may be diverted to unauthorized end users and used in violation of the ATT. As with the long history of armed conflicts in the world, human rights (HR) and IHL violations occur in war-torn communities. The likelihood of armed groups obtaining firearms from illicit sources, such as the events that surrounded the siege of Marawi City in Mindanao, might increase due to a lack of more robust and strict regulation of arms and ammunitions transfers in the region. There is a danger that similar cases may occur in other states where armed conflict is present, and thus may cause even more deaths and suffering. Deaths caused by firearms can be difficult to measure due to a lack of peace and order that would enable field work to be conducted without interruption or risk, the preference of some civilians and victims of violence to withhold information out of fear of reprisal, and an overall lack of capability for doing so. However, a general picture can be drawn regarding the extent of deaths that firearms cause. An estimate made by the Journal of the American Medical Association (JAMA) is presented in Figure 4.

¹⁵ International Crisis Group, *Philippines: addressing Islamist militancy after the battle for Marawi*.

¹⁶ Internal Displacement Monitoring Centre, *Global report on internal displacement*.

¹⁷ International Crisis Group, 'Jihadism in southern Thailand: a problem menace'.

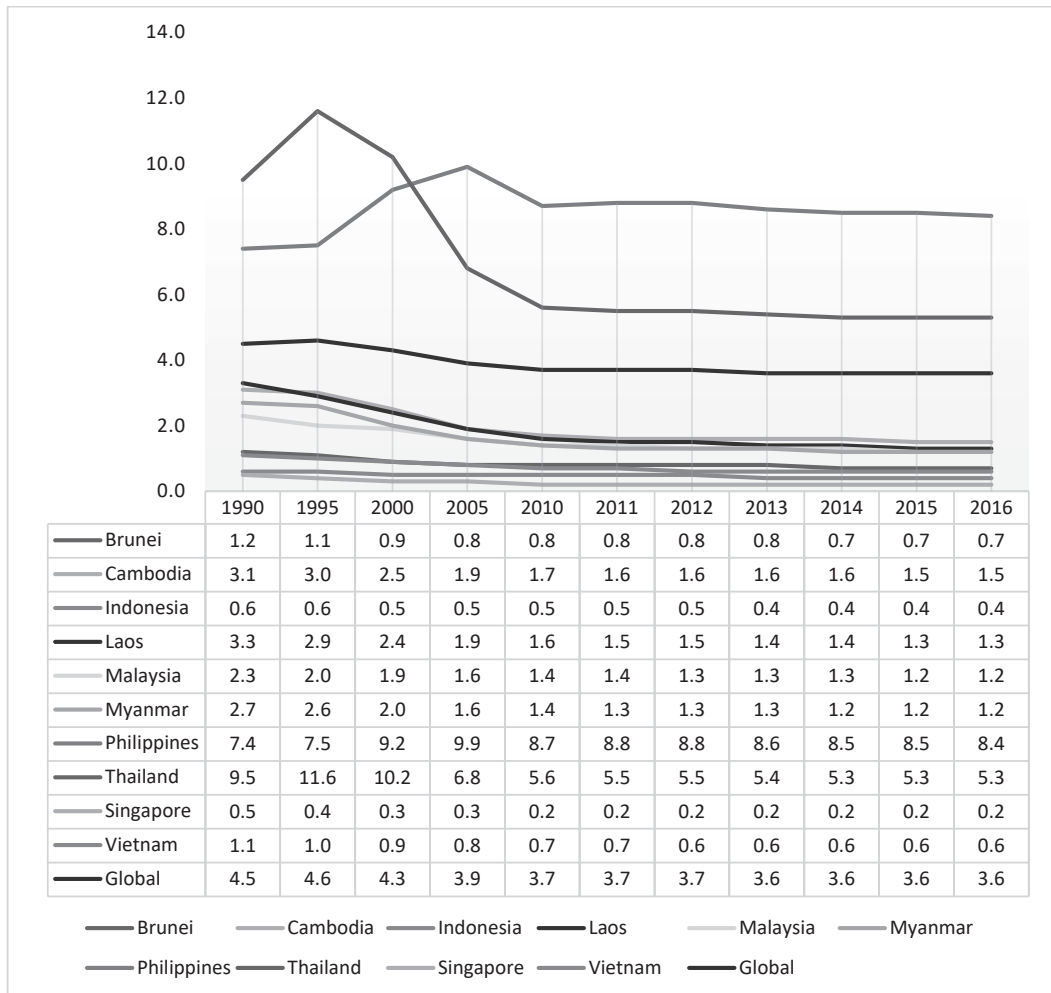


Figure 4 - Mean Estimate Firearm Deaths Per 100,000 Population (ASEAN)

Source: *The Journal of the American Medical Association*, 2018¹⁸

The reasons for the firearms-related deaths cited in JAMA's study include physical violence or assault, self-harm, and unintentional firearm injury, although the context under which these incidents were experienced are not provided. A more detailed documentation of the types of violence in SEA countries can be developed in future research in order to more accurately depict the link between arms diversion and the exacerbation of internal conflicts.

¹⁸ Nagavi, 'Global mortality from firearms: 1990-2016'.

V

SEA states generally experience four factors that could exacerbate the conflict- and non-conflict-based security issues in affected countries. First, internal armed conflicts are ongoing, and their resolution has met mixed success, or they may not be a priority on the national agenda. Second, the persistence of internal armed conflicts provides an environment where a lack of governance and the rule of law enable unauthorized parties, such as non-state armed groups, to obtain weapons illicitly, contributing to the potential extension of the conflict. Third, governments engaged in internal wars have fewer resources to devote to peacebuilding and economic development, both of which are key programmes in promoting peace in post-conflict situations. Fourth, as governments struggle individually without a regional instrument or mechanism to assist in curbing and preventing the illicit transfer of conventional arms, states have even less capacity to address the problem despite the presence of informal networks among sub-national agencies and individuals in the region.

These problems intersect not only domestically, between the risk of weapons diversion to armed conflicts and the establishment of peace and order and development of progress in countries but also are impacted by national and regional means of addressing the problem. At different levels, the adoption of sufficient risk assessment criteria and programmes have been slow due to reasons already cited, which causes more difficulty for national governments already dealing with peace and order problems. To further universalize treaties, such as the ATT, in the region, the means of adopting the risk criteria should consider how both national and regional adoption can be synergized and how informal cooperation channels can strengthen the formalization of rules and regulations at the regional level. ASEAN's preference towards non-intervention should not be dismissed as inimical to institutionalization. Non-intervention should instead be seen as the initial step in establishing an arms control regime.

Institutional regionalism is an important lens to use in Southeast Asia since one of the bases for ASEAN's formation is centred on non-interference and cooperation.¹⁹ Cooperation among ASEAN Member-States has focused on the capacities each country has contributed to help shape their individual nation-state building and achieve peace and development, especially in the earlier period of ASEAN's establishment. Inextricably connected to the need to establish counter-mechanisms to curtail and address the threat of armed violence and violent extremism, which threatens the very security of each Member-State in ASEAN, is the need to establish robust institutions to counter arms proliferation in the region, an undertaking that is becoming more relevant. Southeast Asia formed ASEAN to establish a regional identity in its quest for strengthening their sovereign states, which it has achieved, but this need not necessarily be its only goal. There are greater benefits in utilising each state's strength and expertise to ensure further peace and stability, something for which the ATT can provide a structure.

Specific steps are essential to this process. A regional engagement should be initiated to encourage and ensure that mechanisms developed in the risk assessment process consider the states' problems concerning large-scale arms availability. The local context through which diversion happens, and at what stage of the importation process it happens, must be carefully assessed. An argument could be made that corrupt government officials are responsible for diversion, but not the government institutions themselves, so this concept has to be examined carefully. A regional mechanism where the verification of both import

¹⁹ Norkevičius, *Regional institutionalism in southeast Asia*, pp. 98-113.

and export licences can be made easier and more accessible to concerned agencies should be developed and implemented. Enhanced regional cooperation among the implementing agencies, such as the police, customs, trade, and other related agencies should be developed. The mechanism should also build trust among the states in the region.

The term ‘overriding risk’ should be operationalized in developing risk assessment criteria for SEA countries. At the regional level, the risk assessment should have strong evidence-based criteria that will include multiple factors, such as (a) an accounting of HR and IHL violations in the armed conflict-affected areas; (b) civilian casualties and gender-based violence in armed conflict areas; and (c) the displacement of civilians in armed conflict-affected areas. The risk management process is essential for the region but should focus on foreseen misuse that can be quantified through measurable evaluation. Risk mitigation should be in place for the exporter and importer alike in such cases.

On the part of SEA countries, experts are tucked away in government offices, academic and civil society organizations and are largely ignored or untapped. It is important to note that the region’s experience with wars and internal conflicts should be harnessed and used to prepare and establish solutions that can be implemented in unique domestic situations. These same experts can also assist in specific steps towards treaty implementation. SEA countries should come together to work on a framework for the region that will use the region’s context and experience of armed violence, non-interference, and post-colonial assertion. Merely targeting the administrative requirements of regulating conventional arms is a simplistic, one-dimensional solution that does not consider various motivations and interests of SEA countries. The region is instead looking for a solution that will transcend the issue of proliferation while working towards development and modernisation while maintaining national integrity and establishing a stronger, more efficient region.

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Challenges in Developing a Risk Assessment Criteria for Arms Transfers in Southeast Asia

United Nations Refugee Agency, 'Myanmar factsheet' (February 2016) <https://www.unhcr.org/protection/operations/50001cf99/myanmar-fact-sheet.html> (accessed on 20 April 2018).

Preventing Diversion: A Challenge for Arms Trade Treaty States Parties

By NICHOLAS MARSH*

This article examines the obligations contained in the Arms Trade Treaty for preventing diversion, which is defined as the movement from authorized to unauthorized possession or use. It argues that in different places, the treaty covers both diversions taking place during a transfer and after the transfer has been completed. The article then considers the different ways that authorization can be granted; it points out that a diversion can occur if any state involved in a transfer has not provided authorization. The article then presents three examples of diversion in contemporary armed conflicts: the 2011 war in Libya; supplies to Afghanistan and Iraq between 2003 and 2016; and an export of small arms and ammunition from China to Nigeria, which was brokered from the United Kingdom. In each example, the nature of a diversion is highlighted, as are the specific issues for implementation of the Arms Trade Treaty. The article concludes with the observations that states parties need to control the activities of arms brokers, much more knowledge is needed by states parties to help them predict when a diversion may occur, and a key priority for international cooperation and assistance should be to enhance stockpile security and management.

The Arms Trade Treaty (ATT) is the most important international document that governs the trade of conventional weapons (such as armoured vehicles, aircraft, missiles, small arms, and light weapons).¹ The treaty establishes common international standards for regulating the arms trade with the aim of preventing illicit trafficking and diversion, reducing human suffering, contributing to peace, security, and stability, promoting cooperation and transparency, and building confidence.² In particular, the treaty obliges states parties to monitor their arms exports and ensure that they are not used in the violation of UN arms embargoes, to commit war crimes, or being used for other human rights violations, exacerbate conflict, or diverted.³ The treaty was negotiated in 2013 and came into force in 2014. The current article first examines the obligations under the treaty concerning preventing diversion (described in the following paragraphs). Because the treaty only came into force in 2014, states parties are still establishing what their treaty obligations actually mean in practice. The present article contributes to these discussions by examining three high-profile examples of diversion (which mostly took place before the treaty came into force), highlighting their implications for governments aiming to

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¹ The scope of the treaty is defined in Article 3. The phrase 'conventional weapons' usually excludes nuclear, chemical, or biological arms.

² See Article 1 of the treaty.

³ See Articles 6, 7, and 11 of the treaty.

implement the treaty.

I

Article 11 of the treaty concerns ‘diversion’, and the first paragraph establishes the general obligation that ‘each State Party involved in the transfer of conventional arms [...] shall take measures to prevent their diversion’.⁴ Subsequent paragraphs establish the means by which a diversion can be prevented, including assessing the risk of the diversion prior to issuing an export licence, establishing mitigation measures, and sharing information.

Despite preventing diversion being a central aim of the ATT, with a specific article devoted to that objective, diversion is not defined in the treaty, nor is there an internationally agreed definition elsewhere concerning a diversion in the arms trade.⁵ Nevertheless, the text of the treaty – and other widely used definitions – can be used to reach an understanding of what is meant by the term.

Some inferences can be made from the remainder of the treaty’s text. The preamble of the treaty highlights ‘the need to prevent and eradicate the illicit trade in conventional arms and to prevent their diversion to the illicit market, or for unauthorized end use and end users, including in the commission of terrorist acts’. Here, there is an implied definition of diversion that can be taken to mean moving arms from licit possession and *into* illicit markets, from authorized end use to unauthorized, or from authorized end users to unauthorized end users.⁶ An ‘end user’ is the ultimate recipient of a weapon after it has been transferred (i.e., that the weapon will not be retransferred to another party), while ‘end use’ concerns the ultimate application of the transferred arms (e.g., some exporting states require assurances arms will not be used for certain purposes, such as violations of human rights).⁷

Article 11 has an emphasis on a diversion taking place during and after the transfer has taken place. As mentioned above, paragraph 1 contains a general obligation to prevent a diversion; however, there is a narrower emphasis in paragraphs 2 and 3. Paragraph 2 focuses on the obligations of the exporting party to prevent the diversion of arms being transferred (i.e., while the export takes place),⁸ and paragraph 3 emphasizes the roles taken by the states involved in the import, transiting, and transshipment of arms.⁹ Paragraphs 4 and 5 have a wider scope and both concern the actions that should be taken if a ‘State Party detects a diversion of transferred conventional arms’. The use of the past tense suggests that the treaty is concerned with a diversion after the arms have been imported and the transfer has been completed. Paragraph 4 also indicates that state parties should address a diversion via, *inter alia*, investigation and law enforcement, something that is consistent with the treaty covering the instances of a diversion taking place within a state’s jurisdiction. Similarly, paragraph 6 concerns states reporting to each other on the effective measures of preventing the ‘diversion of transferred’ arms.

⁴ As defined in Article 2 of the treaty, a ‘transfer’ concerns the activities of international trade that ‘comprise export, import, transit, trans-shipment, and brokering’.

⁵ See Parker, ‘Article 11 diversion’, p. 348; Olabuenga and Gramizzi, ‘Article 11 diversion’, pp. 191-3.

⁶ See Parker, ‘Article 11 diversion’, pp. 348-9; Olabuenga and Gramizzi, ‘Article 11 diversion’, p. 191.

⁷ Definitions drawn from United Nations Coordinating Action on Small Arms (CASA), *Glossary of terms, definitions and abbreviations*, pp. 10-11.

⁸ See Parker, ‘Article 11 diversion’, p. 351.

⁹ ‘Transit’ concerns the movement of arms through a state’s territory or waters (e.g., on a cargo ship), and ‘transshipment’ concerns moving a cargo from one vehicle to another without the arms having cleared customs and being formally imported.

The treaty's text is in accordance with a widely used definition published by civil society prior to the treaty being negotiated.¹⁰ For Greene and Kirkham:¹¹

Arms diversion is the process by which holdings or transfers of arms that are authorised by relevant states (and are subject to their legal controls) are delivered to unauthorised end-users, or are put to unauthorised uses by authorised end-users.

By including 'holdings', in other words the arms in lawful possession of a state or other parties, as well as transfers, Greene and Kirkham's scope includes the diversion of arms that have been exported, as well as those being transferred. The implication from the different types of language used in the preamble and in paragraphs 1-6 of Article 11 is that some parts of the treaty are specifically concerned with a diversion taking place during a transfer (paragraphs 2 and 3 of Article 11), while others have a wider scope and are also concerned with a diversion that takes place after a transfer (paragraphs 1 and 4-6 of Article 11). In addition to the obligations outlined in Article 11, states parties should also consider diversion when assessing whether an export would contravene Articles 6 and 7. In particular, paragraph 3 of Article 6 states that a state party 'shall not authorize any transfer of conventional arms [...] if it has knowledge at the time of authorization that arms or items would be used' in the commission of genocide, crimes against humanity, or other war crimes. The term 'would be used' is not limited to the initial recipient of the weapons.¹² This prohibition would also apply to a case in which the exporter knew that the importer was not the end user of the arms and that the arms would be diverted to another party who would use them to commit war crimes or other acts covered by Article 6.

Article 7 obliges states parties to conduct a risk assessment before authorizing an export. According to the article States parties should assess the likelihood that the arms exported would 'contribute to or undermine peace and security' or could be used to commit or facilitate serious violations of international humanitarian or human rights law; terrorism; organized crime; or gender-based violence. Exporters are supposed to consider ways to mitigate the risk of such acts. If there remains an 'overriding risk' of 'negative consequences', the exporting state should 'not authorize the export'. As with Article 7, a diversion would pose a risk that should be considered by a state party when considering granting an export licence – especially the risk that the diverted arms might be used by organized criminal organizations, terrorist groups, or by any party engaged in committing or facilitating violations or more generally undermining peace and security.

When one takes into account the implications of Articles 6 and 7 and the language found in the preamble and Article 11 (paragraphs 1 and 4-6), the scope of a diversion as covered by the treaty includes a diversion that takes place after an export has been completed, as well as during that transfer. To recap, the key element of a diversion in the treaty is that there is a change in possession or use – from authorized to unauthorized.¹³ The remainder of this section considers what is authorized and unauthorized in an arms transfer.

In many cases, a diversion involves arms being taken out of a state's control and into the possession of unauthorized users, such as rebels or organized crime groups. For example, prior to an arms export, forged documentation is presented by an arms broker, which

¹⁰ See Parker, 'Article 11 diversion', p. 349.

¹¹ Greene and Kirkham, *Preventing diversion*, p. 9.

¹² da Silva and Neville, 'Article 6: prohibitions', pp. 102-3.

¹³ The emphasis on diversion being a transfer to an unauthorized party can also be found in Schroeder, Close, and Stevenson, 'Deadly deception', p. 114.

purports that the weapons are to be exported to the ministry of defence of another state. However, after the export licence has been granted, the weapons were instead shipped to a different destination. In this case, the broker would be responsible for the diversion.

Authorization for an arms export will usually be granted by several different governments or by international organizations. For example, the arms export approval would need to be granted by each of the states involved in the export, import, transit, brokering, and transshipment during an international arms transfer. To be properly authorized – and not a diversion – authorization would need to have been granted by all of the relevant governments. For example, if a transfer was authorized by the ministries of defence of the importing and exporting states, a diversion would still have occurred if either were the target of UN sanctions which prohibited their participation in the arms trade.

Authorization is a part of a complex international system of multi-level governance concerning the arms trade,¹⁴ so it could be granted by different state agencies and even international organizations. For example, authorization could be granted by the police or local government concerning civilian possession of firearms; government ministries, such as defence, foreign affairs, or interior; regional organizations (can authorize arms transfers in some cases, such via Articles 4, 5, and 6 of the Economic Community of West African States' Convention on Small Arms and Light Weapons, Their Ammunition, and Other Related Materials); and the UN Security Council, which may grant specific exemptions to arms embargoes. This complex web of national and international sources of authorization can lead to situations in which authorization has been granted by one institution (e.g., national ministry of defence) but may not have been granted by others (e.g., the exporting ministry of foreign affairs).

After the transfer has been completed, the importing state usually authorizes parties to hold the weapons – for example, the members of state security services or members of the public who can lawfully possess a weapon. Post-export commitments concerning the end user or end use of arms are often made by the importer to the exporter before an export is authorized. In such a circumstance, export authorization is conditional upon the importer meeting the terms of the export licence after the transfer has been completed. If those conditions were broken, then a diversion would have occurred (unauthorized end use). For example, consider a scenario where a state authorized the export of submachineguns on the condition that they would be used by the importing state's navy for the purposes of protecting military bases. Instead, if the guns were transferred from the navy to a special police unit with a history of extrajudicial killing, then a diversion would have occurred.

II

Preventing human suffering plays a central role in the ATT. The parties involved in committing violations are frequently non-state groups involved in political violence or organized crime or are states that are not authorized by exporters or international organizations to receive arms imports. Parties involved in warfare have significant logistical requirements,¹⁵ and especially in war, there is the need for a constant resupply of ammunition to keep fighting and for arms to equip new recruits and replace battlefield losses. For non-state groups, fighting against government forces often requires weapons that are not found among the civilian population, such as missiles, rockets, and launchers

¹⁴ Greene and Marsh. 'Governance and small arms and light weapons', pp. 164-180.

¹⁵ On the logistics needs of non-state groups see Hazen, *What rebels want*.

and mortars or artillery.¹⁶ Diversion from state stocks is a key means by which these groups can obtain the arms they need.¹⁷

The news media tends to exaggerate the size and significance of arms trafficking. Most arms trafficking is local (occurring within a country or between neighbouring countries or those countries within a region) and involves small-scale transactions (though many of them can add up to significant flows).¹⁸ Diversion from state stocks offers a plentiful supply of the quantities and types of weapons that are difficult to obtain elsewhere.¹⁹

The following sections provide three examples of diversions involving countries involved in armed conflicts. In addition to illustrating in detail how diversion can occur, they highlight complex issues that should be taken into account by ATT states parties when they attempt to implement the treaty.

III

Taking place during and after the 2011 civil war in Libya, the first example concerns one of the most dramatic and high-profile cases of diversion to have occurred in recent years.

During the decades prior to 2011, Libya's president, Muammar Qaddafi, had amassed a vast stockpile of arms. The weapons had mostly been supplied by the Soviet Union and its allies prior to the 1992 UN arms embargo on Libya. After the EU and UN embargoes were lifted in 2003 and 2004 (respectively), there was a rush by European suppliers for renewing arms sales to Libya.²⁰

Libya had relatively small armed forces, but it kept large stocks of arms and ammunition stored in depots located around the country. The explanation for this apparent mismatch is that Qaddafi apparently weakened his military (he had come to power via a coup and wanted to prevent anyone else from copying his example), so instead of a strong military, in the event of an invasion, he intended to use a 'people's war' strategy in which arms would be distributed to militias and the population in general. In 2010, the Libyan armed forces were estimated to have 76,000 regular personnel in all services (50,000 in the army, 8,000 in the navy, and 18,000 in the air force) which were equipped with 2,205 tanks (half of which were T54/55 models whose first production dates back to the 1950s and were held in storage); 1,000 BMP armoured vehicles; 2,421 artillery pieces, and 490 anti-aircraft cannon.²¹ It has been estimated that firearms (mostly Kalashnikovs) under government control at the start of the war numbered between 400,000 and one million.²²

The 2011 civil war started in February and ended remarkably quickly in September. During the initial weeks of the war, arms and ammunition were appropriated from government depots (particularly in Eastern Libya) and used to equip a rapidly growing opposition army. After Tripoli, the capital city, fell in late August, further large quantities of arms were taken from the Qaddafi regime's stockpiles. Weapons were also supplied to opposition groups by states intervening in the war. The largest quantity was donated by

¹⁶ Marsh, 'Conflict specific capital', pp. 60-62.

¹⁷ Ibid.; Jackson, 'From under their noses', pp. 137-141.

¹⁸ Marsh, 'Firearms seizures and trafficking: A local phenomenon'.

¹⁹ Jackson, 'From under their noses', pp. 137-145.

²⁰ Hansen and Marsh, 'Normative power and organized hypocrisy'.

²¹ IISS, *The military balance 2010*, pp. 262-3.

²² Marsh, 'Brothers came back with weapons', p. 80.

Qatar,²³ and lesser quantities were supplied by France,²⁴ Sudan,²⁵ and the United Arab Emirates,²⁶ and there are credible reports of transfers by Egypt and Italy.²⁷ It is likely that given the large stocks of infantry weapons amassed by the Qaddafi regime, the external supplies were only a minority of the arms and ammunition circulating in Libya at the end of the 2011 war.

The 2011 civil war in Libya resulted in state military arms depots being opened and their contents being distributed to armed groups. Alarm was raised during and after the war that weapons that were poorly secured in depots controlled by armed groups or being openly taken by members of the public. For example, in 2011, a Human Rights Watch team in Libya reported that large quantities of weapons were unsecured and available to the general population:

Among the unsecured weapons storage facilities that Human Rights Watch visited in the vicinity of a Khamis Brigade base in the Salahadin neighbourhood of Tripoli is a farm compound holding approximately 15,000 antipersonnel mines and 500 antivehicle mines. A nearby storage facility housed more than 100,000 antipersonnel and antivehicle mines, as well as large stocks of mortars, artillery, and tank shells; and an unfinished schoolbook-printing facility contained large stocks of surface-to-air missiles (SAMs), antitank guided missiles, mortars, tank shells, artillery shells, and other types of ammunition.²⁸

The arms taken from Qaddafi's stockpiles were not just used in the Libyan civil war. Soon after the conflict, they started leaking into Libya's neighbouring countries, and proliferation of these arms from Libya played an important role in initiating the conflicts in Mali and Sinai that started in 2012 and 2011, respectively (and continue at the time of writing in the spring of 2019).²⁹

The diversion in Libya likely occurred in three different ways. Most dramatically, arms were diverted when state stocks were distributed among unauthorized groups engaged in fighting against the Qaddafi regime. Second, troops loyal to Qaddafi may have engaged in unauthorized use when they used weapons against civilians. In some cases Libya provided assurances concerning the use of weapons that had been supplied by European states months or a few years before the start of the war.³⁰ However, it is not known whether there were binding conditions of sale. Third, it is very likely that the arms supplied to anti-Qaddafi forces during the war were captured or retransferred to other groups in the aftermath of the fighting.

Libya provides some important lessons for ATT states parties. The first is the difficulty in predicting a war and state collapse, like what took place in Libya in 2011. Arms had been enthusiastically supplied to Libya between 2004 and 2011, despite the Qaddafi regime

²³ Dickinson, 'The gun smuggler's lament'; CNN 'The Emir of Qatar on arming Libyan rebels'.

²⁴ Gélie, 'La France a parachuté des armes aux rebelles libyens', *Le Figaro*, 28 June 2011.

²⁵ de Waal, 'African roles in the Libyan conflict of 2011', pp. 375-378.

²⁶ UNSC, S/2013/99, pp. 19-22.

²⁷ Ibid., pp. 21-6; Hooper, 'Italian government blocks investigation into missing arms cache', *The Guardian* (19 July 2011).

²⁸ Human Rights Watch, *Libya: secure unguarded arms depots*.

²⁹ Marsh 'Brothers came back with weapons', pp. 82-87.

³⁰ For example, Libya stated to Belgium that exported FN2000 rifles would be used by the Khamis Brigade to 'escort humanitarian convoys to Darfur'. See Spleeters, D., 'Tracking Belgian Weapons in Libya', *New York Times*, 28 December 2011, <https://atwar.blogs.nytimes.com/2011/12/28/tracking-belgian-weapons-in-libya/> (accessed 27 April 2019).

having a dubious track record that included human rights violations, war with neighbouring states, and violating UN arms embargoes.³¹ A general presumption against supplying arms to authoritarian states with similar records may also guard ATT states parties against the risk of a large-scale diversion in the event of a war.

The Libyan example also raises the risks of transferring arms to rebel forces engaged in fighting a civil war. These groups clearly did not have the authorization to receive arms from the Libyan government, so the transfers themselves could be constituted as a diversion. The issue is legally complex considering that the opposition had been diplomatically recognized by some other states. It is very unlikely that the outside suppliers could have conducted a proper assessment of whether the anti-Qaddafi forces could have kept control over the arms they had been supplied. Even if they had, the rapidly changing situation on the ground would have quickly made it obsolete. In the event, the 2011 civil war was followed by intermittent violence between rival quasi-governments, warlords, an Islamic state group, and militias. The arms supplied in 2011 have undoubtedly fuelled the continuing violence in Libya.

Finally, commitments regarding the end use given by the Libyan government before the war were easily broken after the war broke out. If a regime is fighting for its survival, then it may not put much weight on the conditions set by exporters years before. When states parties agree upon mitigation measures recommended in Article 11 (and in Article 7), they need to consider the risks that the importing state will renege on the agreement if their circumstances change.

IV

The second example involves a high risk of diversion involving the United States and partner arms supplies to Iraq and Afghanistan.

After the fall of the Taliban in 2001 and the invasion of Iraq in 2003, the United States organized the rebuilding and reequipment of the Afghan and Iraqi security forces. Armed conflict is ongoing in both countries, which has increased both the need for weapons and the risks of diversion.

Data released by the United States government provide a picture of the vast numbers of small arms provided to Afghanistan and Iraq. The data reveal that between 1 September 2001 and 1 September 2015, the United States organized the transfer of 1.45 million firearms to various security forces in both countries.³² These included over 112,000 machine guns, 978,000 assault rifles, and 266,000 pistols.³³ Using alternative trade data sources, it is possible to account for the transfers of some 446,000 firearms to Iraq,³⁴ including 126,000 pistols, 206,000 assault rifles, and 60,000 machineguns.³⁵ About 138,000 firearms were reported as having been exported from countries other than the United States; these included 23,038 assault rifles from the United Kingdom, 9,810 pistols from the Czech Republic, and 15,492 machineguns from Serbia.

Export data reveal similar quantities having been reported as having been transferred to

³¹ Hansen and Marsh, 'Normative power and organized hypocrisy'.

³² Chivers, C. 'How many guns did the U.S. lose track of in Iraq and Afghanistan? Hundreds of thousands', *New York Times Magazine*, 24 August 2016.

³³ *Ibid.*

³⁴ *Ibid.*

³⁵ Calculations by the author from the NISAT database of the small arms trade, nisat.prio.org, accessed 21 April 2019.

Iraq. Transfer data reveal that some 629,000 firearms were exported to Iraq,³⁶ including 520,000 from countries other than the United States; these exports included 86,000 assault rifles from the Czech Republic and 52,000 from Slovakia and 35,000 machineguns from Ukraine.³⁷

The exports from countries other than the United States raise the possibility that many more arms could have been provided than the 1.45 million mentioned by U.S. authorities. The United States preferred supplying Afghanistan and Iraq with Soviet pattern weapons, which were sourced from abroad, because these arms were familiar to Afghani and Iraqi personnel, and the guns (especially Kalashnikovs) have a reputation for being more hardwearing and better able to withstand use in harsher environments. The arms that were exported could have been paid for by the United States (in which case, they would likely have appeared among the 1.45 million). But the exports could also have been purchased directly by the Afghan or Iraqi governments or provided as military aid (e.g., in 2006, Hungary reported exporting 20,500 AMD-65 assault rifles as ‘government aid’).³⁸ If the arms were not paid for directly by the United States, then they may not have been counted by the United States government. In addition, the 1.45 million figure probably does not include any weapons issued directly by the United States armed forces or captured arms reissued to Afghan or Iraqi forces.³⁹

The transfers constitute a risk of diversion because the United States has admitted to having lost track of about half of the arms it supplied to Afghanistan and Iraq.⁴⁰ In response to a 2016 request for data from the *New York Times*, the U.S. Department of Defense admitted that it only had records for 48 per cent (or 700,000) of the firearms supplied to Afghanistan and Iraq.

A declassified 2008 U.S. Department of Defense Inspector General report notes that Turkish police and military personnel have complained that arms supplied by the United States to Iraqi security forces had been found in the ‘hands of insurgents, terrorists, and criminals in Turkey’.⁴¹ It went on to note that U.S. forces did not maintain unbroken accountability and control over the arms before they were handed over to Iraqi forces. In particular, the arms were sometimes stored in unsafe areas vulnerable to theft or loss and that lacked the facilities to process large numbers of items; sometimes, inventories of arms (including taking down serial numbers) were not recorded before handover.⁴² Concerning the Iraqi security forces, the Inspector General report states that they lacked enough skilled personnel to adequately monitor weapons stocks and that overall, its logistics systems were ‘fragile’.⁴³

Similarly, a 2014 report by the United States Special Inspector General for Afghanistan Reconstruction outlined deficiencies in the U.S. Department of Defense’s monitoring and accountability concerning the arms supplied to Afghanistan.⁴⁴ In particular, there was missing or erroneous information in 43 per cent of the records in one logistics database on 474,828 weapons.⁴⁵

³⁶ Chivers, ‘How many guns did the U.S. lose track of in Iraq and Afghanistan? Hundreds of thousands’.

³⁷ Calculations by the author from the NISAT database of the small arms trade, nisat.prio.org, accessed 21 April 2019. It is likely that there were also significant exports from Bosnia and Herzegovina.

³⁸ Information from the NISAT database of the small arms trade, nisat.prio.org, accessed 21 April 2019.

³⁹ Chivers, ‘How many guns did the U.S. lose track of in Iraq and Afghanistan? Hundreds of thousands’.

⁴⁰ Ibid.

⁴¹ Inspector General United States Department of Defense, *Assessment of the accountability*, p. 1.

⁴² Ibid., p. 27-47.

⁴³ Ibid., p. 73-4.

⁴⁴ Special Inspector General for Afghanistan Reconstruction, *Afghan national security forces*.

⁴⁵ Ibid., p. 4.

Preventing Diversion: A Challenge for Arms Trade Treaty States Parties

Despite attempts by the United States to set up inventory management systems for the Afghan security forces, the Inspector General reported that an Afghan National Army database was missing data and ‘cannot be relied upon for accurate information’.⁴⁶ Instead, units entered weapons inventory data into ledgers (but without recording serial numbers). The Afghani National Police, meanwhile, had ‘no standardized or automated system to account for weapons’.⁴⁷

Chris Chivers, a *New York Times* journalist who investigated the transfers to Iraq and Afghanistan, is unequivocal that ‘one point is inarguable: Many of these weapons did not remain long in government possession after arriving in their respective countries’.⁴⁸ He highlights that in Iraq, the Islamic State captured arms and other equipment meant for entire Iraqi divisions and goes on to cite equipment of a U.S. origin being offered for sale online. He states the following:

These spectacular losses were on top of the more gradual drain that many veterans of the wars watched first-hand — including such scams as Afghan National Army recruits showing up for training and disappearing after rifles were issued. They were leaving, soldiers suspected, to sell their weapons.⁴⁹

The examples of supplies to Afghanistan and Iraq highlight two risks of diversion. The first is that poor management of arms could lead to theft or other losses during the transfer – such as during storage in unsafe areas prior to handover. The second is that after the transfer was completed poor security and management by the Afghan and Iraqi security forces created risks of large-scale losses from capture or theft or loss by police or military personnel.

Although the United States has been the focus of this example, arms were also supplied by ATT states parties (such as Germany, Hungary, or the United Kingdom). A key issue for states parties is the need to prevent a diversion if they are supplying arms to highly fragile states involved in warfare (such as Iraq or Afghanistan). If the recipient country lacks the facilities and infrastructure and personnel trained to use them, then a diversion during or after a transfer may be likely.

V

The third example of a diversion concerns an export of small arms and ammunition from China to Nigeria. The transaction had been arranged by a UK-based arms broker who had not been authorized to do so.

From 2005-7, UK citizen Gary Hyde and German citizen Karl Kleber set up an arms deal involving the export of 70,000 rifles, 10,000 pistols, and 32 million rounds of ammunition from China to Nigeria.⁵⁰ Hyde acted as a broker, in that he was an intermediary who was to receive a commission for arranging the arms deal, but he or his companies never bought or otherwise took possession of the arms themselves.⁵¹ It was a complex deal involving a Chinese company (Poly Technologies Inc. and previously China Jing An), two companies

⁴⁶ Special Inspector General for Afghanistan Reconstruction, *Afghan national security forces*, p. 6.

⁴⁷ *Ibid.*, p. 6.

⁴⁸ Chivers, ‘How many guns did the U.S. lose track of in Iraq and Afghanistan? Hundreds of thousands’.

⁴⁹ *Ibid.*

⁵⁰ Royal Courts of Justice, ‘Transcript’.

⁵¹ For a definition of brokering, see UNGA, A/62/163, p. 8.

representing the Nigerian government (called Deftech and Pinimi) and EWH Consultancy Ltd., which was controlled by Gary Hyde.⁵² Contractual documents signed by Hyde state that a commission of USD 1,337,800 was due to be paid out for arranging the deal.⁵³ The shipment from China to Nigeria took place in November 2007.

The United Kingdom has regulations covering the act of brokering an arms deal (such as what was undertaken by Hyde). Any person or corporate entity located in the United Kingdom and wishing to broker an arms transaction must first obtain a trade control licence (which are issued by the Export Control Organization).⁵⁴ The regulations cover arms being transferred from or to any part of the world (so long as at least some of the brokering activity takes place in the United Kingdom).

Despite being a seasoned arms exporter, Hyde did not obtain a licence – possibly because armed conflict and human rights violations in Nigeria may have meant that the United Kingdom would have refused. Instead, Hyde started to broker the transaction and made sure to do so from outside the United Kingdom. In particular, he arranged for a payment of USD 400,000 to be made to a bank account in Liechtenstein.⁵⁵

Prosecutors were able to prove that in March 2006 and December 2007, Hyde had worked on renegotiating the transaction while he was located within the UK. After being sentenced, Hyde was convicted to seven years imprisonment for brokering the deal with Nigeria without the required licence and for concealing the payment to the Liechtenstein bank account from the UK authorities.

In this example, a diversion occurred because Hyde and his companies did not have the necessary authorization from the United Kingdom to broker the deal. To recap, Article 11, paragraph 2 of the treaty obliges states parties to ‘prevent the diversion of the transfer of conventional arms’, and in Article 2, ‘brokering’ is defined as being one of the activities that comprise a transfer. Similarly, Greene and Kirkham’s definition (see above) is followed with the comment that ‘authorisation is required by both the exporting and importing state, and also by relevant transit and brokering control authorities in other states’.⁵⁶ Hyde’s case shows that the transfer was not authorized by all of the states involved, even if China and Nigeria had issued the appropriate import and export licences.

The issue for ATT states parties is that a diversion can occur and involve their citizens in contexts far removed from where the arms are actually located. A broker based on a different continent from the importing and exporting states can still play a key role in an unauthorized arms transfer. States parties need to ensure that they have, as set out in Article 10, adequate laws and regulations concerning brokering; they also need to be vigilant and detect unauthorized brokering activities.

VI

To conclude, diversion has a central place in the ATT, and preventing it is key to attaining the aims of the ATT to reduce human suffering and contribute to peace, security, and stability. States parties need to fulfil their obligations and take active measures to prevent a diversion, including not allowing exports if the risks are too high and controlling the activities of arms brokers. Transfers of arms to a non-state proxy at war in another country

⁵² Royal Courts of Justice, ‘Transcript’.

⁵³ Royal Courts of Justice, ‘Transcript’.

⁵⁴ See Article 4 of the UK’s Trade in Goods (Control) Order of 2003.

⁵⁵ Royal Courts of Justice, ‘Transcript’.

⁵⁶ Greene and Kirkham, *Preventing diversion*, p. 9.

would very likely be a case of diversion.

Preventing a diversion is difficult. For an exporter, assessing the long-term risks of a diversion poses many problems; the exporter may lack detailed information on the activities of his or her own companies or on the ability of the importing state to secure arms stocks. Even if systemic deficiencies are known, the imperative to support an ally fighting a war may outweigh the fears that arms supplies could later be diverted. Cataclysmic events such as a state collapse or civil war are difficult to predict years in advance. Much more knowledge is needed by states parties to help them predict when a diversion may occur.

Many states, such as Afghanistan, lack the ability to control their arms stockpiles and prevent pilfering. If the importing states lack the ability to monitor their inventories of arms and ammunition, they may be unaware of the extent – or even existence – of a diversion. A key priority for international cooperation and assistance should be to enhance stockpile security and management. However, as the Afghanistan example shows, doing so can be a long process.

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Jet Age Feminism: Emilio Pucci, Mary Wells, and the Braniff Airways Stewardess of the 1960s[†]

By PHIL TIEMEYER*

This article considers the bold redesign of stewardess uniforms that designer Emilio Pucci undertook at Braniff Airways in 1965. As part of a larger marketing campaign to alleviate customer fears about the generic nature of jet travel, Braniff promised “The End of the Plain Plane” through injections of color, high-end style, and the objectification of stewardesses. The adoption of jet technology thereby significantly impacted women, at a time when the United States was experiencing the rise of a new feminist wave. What this article terms “Jet Age feminism” is quite different from the radical feminism that not only sought parity with men in careers but also demanded an end to the physical objectification of women, contesting the stringent beauty norms placed on women even at work. In contrast, “Jet Age feminism” was inspired by people like ad executive Mary Wells, who masterminded the Braniff campaign, and *Cosmopolitan* magazine editor Helen Gurley Brown. Braniff’s newly outfitted stewardesses embodied much of these women’s feminist vision: promoting greater public mobility for women without dismantling beauty culture. The end result was a compromised feminism that benefitted wealthy career women like Wells, without freeing Braniff’s stewardesses to attain the same access to life-long careers.

Whether for christening new routes or unveiling new aircraft, airport runways have sometimes supplemented their utilitarian purpose with something more festive. But in July 1965 aviation history marked a revolutionary moment on a different kind of runway: a fashion runway assembled in a lavish ballroom of the Palazzo Pitti in Florence, Italy. There, the famed designer Emilio Pucci, who attired celebrities such as Sophia Loren and Jacqueline Kennedy, introduced his Fall *haute couture* collection. As part of the show, he also debuted the fruition of his months-long collaboration with Texas’ Braniff Airways: a completely new ensemble of stewardess uniforms. Exceptionally colorful and formal-yet-casual, they were a sharp divergence from the monochromatic, military-inspired uniforms of elite carriers like Pan Am, British Overseas Airways, and Japan Air Lines.

The result, in the words of *Vogue* magazine, embodied the geographical fluidity and extraterrestrial yearning of the Jet Age: ‘In look, a combination of Texas, Florence, and

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Mars, the clothes [Pucci] has worked out are meant to meet every possible exigency—including the future’.¹ Braniff’s public relations materials added a similar point about Pucci: ‘As a decorated Italian pilot, he is blazing a new space-age trail for erstwhile earth-bound fashions. His concept for in-flight hostess attire is completely new, completely contemporary, and completely in accord with his credo: “When I design, I think of a woman in motion”’.²

Of course, this ornate presentation was motivated to generate publicity for the airline. However, this fact does not diminish the importance of Braniff’s innovations, which further exacerbated 1960s America’s cultural fault-lines of women’s liberation and sexual revolution.³ As Pucci and Braniff outfitted their stewardesses for a Jet Age future that could as easily involve Mars as it could Texas (in *Vogue*’s words), women at Braniff were rendered at once more empoweringly mobile, but also more restricted than before by male sexual privilege.

This essay’s first part examines how and why Braniff’s creative team, including Pucci, refashioned stewardessing as part of its larger marketing campaign, aptly entitled the ‘End of the Plain Plane’.⁴ The numerous changes responded to a deeper fear among airline executives: that the jet, with its expanded capacity that made air travel less exclusive, was spoiling customers’ sense of awe. Flying risked becoming ‘plain’ for customers, so Braniff’s marketers sought to manufacture renewed excitement, including through the dramatic refashioning of its stewardesses. This overhaul was financially vital for Braniff, since its Board committed in 1965 to shift very rapidly to an expensive all-jet fleet.

Some of this essay’s narrative on the ‘End of the Plain Plane’ campaign has already been chronicled by accomplished historians and journalists. Readers interested in a fuller consideration of the subject should consult Victoria Vantoch’s *The Jet Set: Airline Stewardesses and the Making of an American Icon*, which places the Braniff campaign in the context of other US airlines’ efforts in the late 1960s to sexualize stewardesses as a means to grow their customer base.⁵ In addition, William Stadiem’s *Jet Set: The People, the Planes, the Glamour, and the Romance in Aviation’s Glory Years* offers the most detailed study to date of Braniff’s decisions that culminated in the ‘End of the Plain Plane’ campaign.⁶ Finally, Kathleen Barry’s *Femininity in Flight: A History of Flight Attendants*, chronicles stewardesses’ multi-pronged fight against sexism in the workplace, which became all the more intense due to the Braniff campaign and the various copycats that followed in the US aviation sector.⁷ Overall, my work shares a common basis with these preceding contributions, while offering particular novelty in the analysis put forward in the second and third parts of this essay.

The essay’s second part examines Pucci’s and Braniff’s refashioning of stewardesses in relation to American notions of feminism in the mid 1960s, rendering what I call ‘Jet Age feminism.’ This term is firstly a chronological designation, referring to the status of

¹ McCarty, J, ‘Beauty Checkout’ in *Vogue*, 15 Sept 1965, p. 62.

² Vitra Design Museum, Alexander Girard Archives (hereafter AGA), Box ‘MAR 00105 D-4’, Folder ‘Girard Press - 01/1964-12/1965’, Press release, ‘Emilio Pucci: Fashion Innovator’, 19 July 1965.

³ Works that chronicle the feminism and the sexual revolution in the 1960s include: Allyn, *Make Love, Not War*; Bradley, *Mass Media and Feminism*; Cott, *Grounding of Feminism*; Ehrenreich, Hess, and Jacobs, *Re-Making Love*; Hill, *Peacock Revolution*; Kessler-Harris, *Out to Work*; Meyerowitz, ed., *Not June Cleaver*; Rosen, *World Split Open*; Scanlon, *Bad Girls Go Everywhere*.

⁴ AGA, Box ‘MAR 00105 D-4’, Folder ‘Girard Press - 01/1964 - 12/1965’, Press release, ‘Announcing the End of the Plain Plane’, November 1965.

⁵ Vantoch, *The Jet Sex*, pp. 153-85.

⁶ Stadiem, *Jet Set*, pp. 242-75.

⁷ Barry, *Femininity in Flight*, pp. 174-84.

feminism in the United States in the first decade of civil aviation's adoption of jet technology (1959-69). Yet, it also more specifically refers to how notions of feminism intersected with civil aviation culture during these years. Women could not serve as pilots on US airlines throughout this first decade of jet travel, nor could they enter America's space program. Thus, stewardessing was the most a woman could aspire to, and Braniff's iteration was the first intentional effort by an airline to reshape womanhood in the Jet Age. When Pucci and the person who commissioned him for Braniff, advertising executive Mary Wells, offered women the mixed bag of greater mobility but also greater subservience to men, they indicated that women's 'Right Stuff' would be quite different from astronauts'.⁸ These women endured the erasure of risk as a valued workplace trait, and training for the job became less tied to safety and more tied to personal grooming.

The essay's final part contrasts the Jet Age feminism of stewardesses and that of Mary Wells, the ad executive who masterminded Braniff's 1965 campaign. While both encountered sexism in their work, the class difference between these women rendered divergent fates. Wells successfully blended the competing pulls on Jet Age women towards career, sexiness, and marriage. Ultimately, she and her new husband, Braniff's President Harding Lawrence, met at work and soon thereafter became one of America's first dual-career 'power couples', with husband and wife competing to take home the larger salary. Meanwhile, Braniff offered a more limited version of Jet Age feminism to working-class women: marriage wasn't for them an opportunity to advance their careers, but rather was cause for being fired. As such, even though both Wells and Braniff's stewardesses became paragons of a boldly modern way of being a woman in the Jet Age, neither was a true model for the more radical feminism that was gaining currency at the time. Jet Age feminism, over time, gave way to something more inclusive.

I Democratizing the Jet Set:

Braniff and its Stewardesses Enter the Jet Age

1965 was a momentous year for Braniff International Airways, then a medium-sized carrier based in the medium-sized, but growing city of Dallas, Texas. From its first flight in 1928, Braniff subsisted as a regional carrier in the heavily regulated United States aviation market, granted routes in Texas, eastwards towards New Orleans, and northwards towards Kansas City. The years after World War II offered Braniff a first foothold outside the midsection of the US. A merger in 1952 expanded the route network to Chicago, while its first flights between Dallas and the East Coast came a few years later. Finally, Braniff had become an international carrier already in 1948. With the award of routes to Latin America, Braniff became the Western Hemisphere's equivalent of Trans World Airlines on European routes: it served as the US's second flag-carrier, alongside the much stronger Pan American Airways, on routes as far south as Buenos Aires.⁹

Even so, Braniff had very little brand visibility in the US's biggest cities or in Latin America's metropolises. Only three percent of potential customers in the New York area had heard of the airline, putting it at a significant disadvantage in the largest consumer market.¹⁰ Moreover, Braniff was falling behind major airlines in the rush to transition to an all-jet

⁸ On the application of the term 'Right Stuff' to US astronauts, see Wolfe, *Right Stuff*.

⁹ For a history of Braniff, see Cass, *Braniff Airways*.

¹⁰ History of Aviation Collection, Braniff Collection (hereafter BC), Box 18, Folder 4, 'Harding Lawrence Markets an Airline' in *Media Decisions*, Jul 1968.

fleet. It had secured ten Boeing 707-720 jets between the plane's debut in 1959 and 1964, enough to cover routes to Chicago, New York, and Washington, but its other routes depended on a fleet of piston-engine planes. This lack was particularly glaring on Braniff's Latin American routes.

When Harding Lawrence took over as Braniff's new President in March 1965, the new executive team already was tasked to fully transition Braniff to the jet era. He therefore unveiled a business plan that included purchasing dozens of new jets valued together at \$160 million, of which \$120 million was borrowed. Included were 14 new regional jets (BAC-111s) and 17 new Boeing 727s for longer routes. By mid-1967, Lawrence promised, all of Braniff's non-jets would be retired.¹¹ Overall, Braniff was set to expand its seating capacity by 57 per cent by January 1966, with another 27.5 per cent increase by July 1966.

Executives then faced the daunting challenge of increasing ticket sales, in order to make this investment pay off. Central to this strategy was a new marketing and advertising campaign, for which Lawrence had already identified his chosen partner: advertising executive Mary Wells of Jack Tinker and Partners. Wells details in her autobiography Lawrence's urgent plea, 'Listen, Mary, I need a very big idea for this airline, something so big it will make Braniff important news, overnight'. Behind this need for attention lay the upcoming jet purchases, 'I'm going to buy a large fleet of jets and they'll cost plenty ... I don't want to fly a lot of empty seats around'. Lawrence reinforced his plea for a total makeover, 'I want to hire you people at Tinker to help me reintroduce Braniff to America. Actually, I want you to introduce Braniff to the world'.¹² He then agreed to double the airline's advertising budget, to \$6 million, in the first year.¹³

Bold ideas started taking shape during Wells' research into the state of air travel. In mid-1965, her team spent time in airports, on planes, and at ticket offices, where they interviewed air travelers. The main finding was at once obvious and insightful: 'All planes looked alike; all terminals looked alike; all stewardesses looked alike. There was a great prevalence of gray, a military hang-over'.¹⁴ Wells rightly perceived that many civil aviation resources had direct ties to America's military mobilizations in World War II and the Cold War. Many airfields and terminals were hastily built during the early 1940s, and most pilots were trained either in World War II or Korea.

The militarized stewardess uniforms, however, took root in the 1930s. Their dark colors, stripes on sleeves, and lapels decorated with stylized wings were inspired by the US Navy, which America's first major airline, Pan Am, mimicked for its crew aboard the 'flying boats' that navigated the skies at the time.¹⁵ Early air travel was also bumpy, cold, and fraught with the potential danger of crash landings; thus, a drab, heavyweight uniform that conveyed authority in times of danger was appropriate. That such uniforms persisted through the 1950s is partly a consequence of the accretion of tradition, but it also reflects the resurgent connections between aviation and militarization during the early Cold War. After all, the great innovations of Cold War-era civil aviation—pressurized air cabins, improved radar navigation, and, most importantly, the jet aircraft—were all byproducts of military research and development begun during World War II and enhanced during the

¹¹ AGA, Box 'MAR 00110 D-5', Folder 'Girard Press - 01/1966- 12/1966', Press Release (no title), 16 Jun 1965.

¹² As quoted in: Wells Lawrence, *Big Life in Advertising*, p. 33.

¹³ BC, Box 34, Folder 2, Memo from Rex Brack to All Employees, 24 Nov 1965.

¹⁴ Mary Wells, as quoted in: Black, C., 'Meet America's Top Woman Exec' in *Honolulu Advertiser*, 25 Mar 1975.

¹⁵ The history of the first flight attendants at Pan Am, who happened to be all-male, is described in: Tiemeyer, *Plane Queer*, pp. 14-41.

first decades of the Cold War.¹⁶

In expressing her concerns about a ‘military hang-over’, Wells could have also noted that her work for Braniff was happening in the middle of the US military’s mobilization in Vietnam. In March 1965, right as Wells won the Braniff contract, US Marines made their first landing at Da Nang, and the US Air Force and Navy commenced Operation Rolling Thunder, President Johnson’s gruesome aerial bombing campaign of North Vietnam comparable in size to the raids over Japan and Germany during World War II. As such, the decisions to “feminize” Braniff’s stewardess uniforms by adding lush colors, foregoing stripes on the cuffs, and replacing the lapel’s streamlined wings with a curvaceous golden dove—the symbol of peace—were quite timely. As historian Victoria Vantoch notes, American society at the time had an entrenched masculine-feminine dichotomy that also impacted Cold War notions of technology: the aviation industry ‘relied on polarized descriptions of “cold” and “efficient” (read: masculine) aircraft technology versus “warm” and “friendly” (read: feminine) service in ways that tapped larger Cold War discourse about gender and technology.’¹⁷ As such, the ‘Right Stuff’ of Braniff stewardesses had to be diametrically opposed to the cold, hard, technical exploits of America’s men at war in Vietnam if it was to succeed in elevating Braniff into the jet age via the expansion of its customer base.

The initial inspiration for Braniff’s new campaign was color. Throughout her team’s research, Wells was most struck by its stark absence in airports and on planes: ‘[T]here was no color. This was the sixties, mind you, when color was a hot marketing tool ... [Harding Lawrence] liked thinking about color; he reminded me that Braniff would be flying to places associated with brilliant color, Mexico and South America’.¹⁸ Indeed, color also had deeper importance in the 1960s as a widespread design fad. As fashion historian Shirley Kennedy notes,

One could not help but notice color everywhere. Colors vibrated and seemed to explode on the Pucci silks, as they did on the Pop Art canvases of Lichtenstein, Warhol, Wesselman, and Rosenquist ... psychedelic rock concert posters, and the Beatles’ cartoon movie, *The Yellow Submarine*.¹⁹

Color was playful, young, and, as Lawrence noted, it recalled the alleged simplicity of the pre-modern cultures. Mary Wells conceded, ‘Color was my idea, but not really. There’s no magic talent in advertising. Too many people don’t do their homework and find the obvious need’.²⁰ The need, as she saw it, was to wed the ultra-modern jet with the primordial wonder of color.

Color ultimately infused everything that Braniff remade under Wells’ direction: ticket counters, airport lounges, stewardess uniforms, and ad materials. But the original burst that started this colorful makeover involved the planes themselves. As Wells notes, she first considered having a fleet all in yellow, or orange, or indigo. Her art director drew renderings of planes in these colors, then placed them on the floor for the staff to critique. ‘Then I asked him to do one with all different-colored planes’, recalls Wells. ‘When that sketch hit the floor of the reception it was a thunderbolt, there wasn’t a doubt in my mind

¹⁶ Tiemeyer, *Plane Queer*, p. 58.

¹⁷ Vantoch, *The Jet Sex*, p. 175.

¹⁸ Wells Lawrence, *Big Life in Advertising*, p. 34.

¹⁹ Kennedy, *Pucci*, p. 98.

²⁰ Black, ‘Meet America’s Top Woman Exec’.

... Seven colors looked like a big idea and wow and friendly and it would be big news'. Sharing the concept with Lawrence was also a surprisingly easy success: 'When he studied the sketches of his planes in seven different solid colors he was quiet for a minute. I don't think I breathed. Then he laughed. He said, and I will never ever forget it, 'That will do it!'"²¹

Wells then made a second vital decision, one which tied the universally accessible inclination to embrace color to more exclusivist impulses from high society. After all, she did not employ a child-like adoption of color as one might find in a nursery school, or even the notionally 'primitive' collage of color that one would find in Mexican textiles. Instead, she delegated the implementation of Braniff's color infusion to two of America's and Europe's top-name designers, both of whom were famous for their use of color: Emilio Pucci from the fashion world and Alexander Girard from the interior design realm. By effectively purchasing their aesthetic for use at the airline, Wells assured that Braniff's colors had a patina of elitism.

Pucci's explosively colorful cocktail dresses were famous primarily because of the celebrities who wore them. He had a coterie of rich patrons who would buy directly from his boutiques in Italy. By the mid-1960s, he was also exporting to department stores in the US. But, as the accomplished author and *Cosmopolitan* editor Helen Gurley Brown recalls, Pucci's price point was prohibitive: 'I remember seeing my first Pucci dress in Burdine's department store in Miami in 1963 when I was on a book promotion. "How long has *this* been going on?" I asked myself and, though I didn't think I could afford one—\$190 for one little skimp of a dress—I tried on four in fifteen minutes for sheer pleasure'.²² That Brown, a best-selling author, ruminated about whether she could afford Pucci's creations speaks to his exclusivity.

Ironically, this deployment of an elitist aesthetic was Braniff's tool for democratizing air travel. Braniff's new customers would be drawn from two divergent income groups. The first was comprised of those wealthy enough to partake in Girard's and Pucci's worlds as consumers. Since this group, mainly consisting of business executives and their spouses, likely was already accustomed to flying by plane, Braniff's embrace of Jet Set glitz may have been enough to lure them away from their competitors.²³ Yet, more numerous were customers with considerably less spending power, many of whom were first-time flyers in the 1960s. In their case, too, there was an allure to the Braniff aesthetic. In an aviation market strictly regulated both domestically and internationally, customers found each airline offering the same fares to any desired destination. The only difference was the type of aircraft flown—hence Braniff's desire to catch up to competitors with more jets in service—and the quality of service.

As advertising executives for Braniff's competitor Pan Am researched the habits of travelers with limited budgets, they found the following: 'Once they [are committed to] pay full fare, they are prepared to shop among competitive airlines on the basis of the comfort, service, and enjoyment aspects of the trip'.²⁴ With its new jets and Wells' stylish overhaul, Braniff seemingly offered these customers more for their money. They lounged in Girard-

²¹ Wells Lawrence, *Big Life in Advertising*, p. 35.

²² As quoted in: Kennedy, *Pucci*, p. 7.

²³ On the usage of the term 'Jet Set' to refer to an elite class of celebrities in the 1960s, see Stadiem, *Jet Set*.

²⁴ J Walter Thompson Company Collections, 'J. Walter Thompson Company Account Files, 1885-2008 and undated', Box PA10, Folder 'Research Reports 1969', 'Preliminary Exploration of Consumer Perceptions of the 747 Plane in England, France and Germany', November 1969, p. 18.

styled airports, boarded planes decorated with bold fabrics and Latin American artwork chosen by Girard, and they were served by hostesses who sported the same sort of Pucci-designed outfits as movie stars. These middle-class and working-class customers were thereby offered an opportunity to partake in the ambiance they saw in movies and read about on celebrity pages.

Braniff's Pucci-clad hostesses also addressed—or at least diverted attention away from—a growing personnel crisis tied to the democratization of the jet era. With larger and faster aircraft, customers were beginning to fear that air travel would become like mass transit: utilitarian rather than exclusive, crowded and impersonal rather than enjoyable. In the parlance of Mary Wells' ad campaign, air travel increasingly occurred on a 'plain plane'. A report commissioned by Pan Am just a few years later, in 1969, concluded that middle-income consumers were disappointed by increasingly large jets: 'The impression of mass travel ... underlines their basic concern about de-humanization. They feel the individual passenger will be one of a mob and will not have the kind of personal attention they seek'.²⁵ Jumbo jets with upwards of 400 seats would soon exacerbate these concerns. Yet, already the first models of jets, including the 727s Braniff purchased in 1965, stirred misgivings. While Braniff's largest pre-jet plane, the DC-7C, seated 75 passengers, the new 727s could accommodate 154. Inevitably, passengers desiring a personal touch would more frequently be disappointed.

As such, stewardesses faced increasingly unattainable expectations. As the Pan Am report summarized, '[C]onsumers ... desire to be treated as individuals. Some of them are even sensitive to 'cookie cutter' pleasantness on the part of the stewardesses ... They want to really feel that some one cares about them as individuals'.²⁶ However, flight attendants in the Jet Age cared for more people and undertook the same work in a reduced amount of flying time. In a way, Braniff's stewardess outfits offered a potential remedy. By turning the aisle into a fashion runway, passengers might think of themselves more as spectators than guests deserving high-quality service. They could participate in Jet Set sophistication, but in an impersonal way attuned to the Jet Age reality of mass transportation.

II Jet Age Feminism Takes Off

A new wave of feminism hit the United States in the early 1960s. As activist Betty Friedan's 1963 best-selling book *Feminine Mystique* described, many middle-class and working-class housewives were awakening to a sense of depression, even as their families prospered:

Each suburban wife struggles with it alone. As she made the beds, shopped for groceries, matched slipcover material, ate peanut butter sandwiches with her children, chauffeured Cub Scouts and Brownies, lay beside her husband at night—she was afraid to ask even of herself the silent question—'Is this all?'²⁷

The 1964 Civil Rights Act, which protected women from discrimination in hiring and firing for the first time, allowed feminists to increasingly seek equality in the workplace. Financial independence through a lifetime of work could create more opportunities for

²⁵ Ibid., p. 16.

²⁶ Ibid., p. 18.

²⁷ Friedan, *Feminine Mystique*, p. 57.

women, not only outside the home, but even potentially outside of marriage and childrearing altogether.

Braniff's flight attendant corps did not fit this more radical iteration of feminism. The airline kept rules in place so that stewardessing could not serve as a life-long career, primarily by firing women when they married or became pregnant. As a result, the average duration of a stewardess' career totaled 18 months, a reality which continued for several years beyond passage of the Civil Rights Act. Managers also maintained beauty-based hiring standards, the same as they were before 1964. In 1962, Braniff hired only those women who were no larger than '5'7" and 130 pounds' and possessed 'an attractive, wholesome, well-groomed appearance'. It also openly promoted its no-marriage policy as virtuous for stewardesses: 'the wealth of knowledge and experience gained from their enriching and challenging career as a Braniff hostess contributed immeasurably to their later success as a homemaker'.²⁸

By 1968, these standards had changed only slightly, with women two inches taller and five pounds heavier allowed to apply. Also, in sync with the nation's growing divorce rate, the no-marriage policy was loosened, but only slightly:

[A] young lady is qualified for employment as a Braniff hostess if she is 20 to 27 years old; from 5 feet, 2 inches to 5 feet, 9 inches tall with weight in proportion to her height and not over 135 pounds; single, or a childless widow or divorcee unmarried for one year or more; has 20/50 vision in each eye without glasses; has at least a high school education and good character, and is blessed with sound judgement, an attractive appearance with a clear complexion and an attractive smile, a pleasant disposition, even temperament and a pleasant sounding voice.

With such a focus on cultivating rigid notions of beauty, mention of a flight attendant's most important work seemed almost nonsensical: 'While very few hostesses will ever encounter any type of emergency situation ... passenger safety is their primary function'.²⁹

Not surprisingly given their focus on beauty, Braniff's marketers also openly mocked the more radical feminism of Betty Friedan and others. For example, when the airline opened a new training academy for flight attendants in 1967, it was heralded as an 'ultra-modern and beautiful edifice [that] has been artfully designed with the feminine mystique in mind'. This use of Friedan's own term 'feminine mystique'—which in her book referred to women's degradation via cultural expectations to be conventionally beautiful—was highly ironic, with the airline professing to promote exactly what Friedan fought against.

And while radical feminists fought for women to proceed from university educations into life-long careers, Braniff again sought the opposite. Its new training facility was sarcastically christened the 'Hostess College', but contained only five classrooms. There were instead more extensive facilities for beautifying the stewardesses-to-be. Highlights included the 'Powder Puff Room ... where girls learn the secrets of makeup and flawless complexions'. And in place of a library, studying at the 'college' took place at the 'the rows of electric hair dryers where she may do some homework on jet aircraft passenger configurations while her hair dries'.³⁰

While clearly opposed to radical feminism, there was another iteration of a more limited

²⁸ BC, Box 26, Folder 1, Press release, 'Exactng Qualifications Remain Unchanged as Braniff Hostesses Hold Silver Anniversary Party', June 1962.

²⁹ BC, Box 26, Folder 1, Press release, 'A Braniff International Hostess Is...', undated.

³⁰ Ibid.

feminism in 1960s America that Braniff's flight attendants did embody, at least to a certain extent. This rival to Friedan's *Feminine Mystique* also was introduced by a best-selling book: Helen Gurley Brown's *Sex and the Single Girl* from 1962.³¹ Brown's book had a core message that, like Friedan's, supported women who entered careers and strove for financial independence. The two parted ways, however, with Brown's more open stance towards the sexual revolution, especially as it impacted women at work. For Brown, it was a positive that some workplaces were 'sexier than Turkish harems, fraternity house weekends ... or the *Playboy* centerfold'.³² Accepting male sexual advances in the workplace as inevitable, Brown counseled women to utilize these moments to advance their careers. A successful woman would develop the skill of playfully dismissing certain advances and accepting others in exchange for career assistance.

Brown wrote *Sex and the Single Girl* mainly as a how-to guide to assist the growing numbers of unmarried women, primarily younger women, who entered the workforce and intended to stay until retirement. As historian Patricia Bradley notes, 'When Brown published her book, women between ages twenty-five and fifty-four were on the cusp of exploding into the workforce, a group that increased 45 per cent from 1962 to 1975'.³³ Thus, Braniff's stewardesses were typical of a wave of 'single girls' (Brown's term) entering the workforce, even if they couldn't aspire to a life-long career due to airlines' marriage bans and other restrictions.

Brown stayed in the public eye and promoted her version of feminism well after her book was published in 1962 and Friedan's a year later. She was again making waves in 1965, when she became editor of *Cosmopolitan* magazine and revamped it to be a standard-bearer for single women. From her editorial role, she developed the notion of the '*Cosmo* girl' or 'single girl' (synonymous terms Brown employed) to designate a woman who was financially independent, while also comfortable being sexy, dressing in conventionally feminine ways, and being sexually active in ways the woman herself saw fit. As long as they overlooked the temporary nature of Braniff stewardesses' jobs, Brown and her devotees could look to Emilio Pucci, Mary Wells, and Braniff stewardesses as innovators of the single girl lifestyle, as practitioners of Jet Age feminism.

Brown treated Emilio Pucci as an important liberator for women. She saw an almost political ferment in his fashions, likening Pucci's impact on women to the Flapper fashions of the 1920s. As Brown writes, 'I think Emilio, some thirty years later, had somewhat the same effect on American women. No, we weren't exactly constricted or restrained by fashion or society like those twenties women, but he did help us express ourselves ... experience a new freedom, a sensuousness we hadn't felt or shown before. The dresses were spare, sexy, and liberating!'³⁴ These same traits were true of Pucci's Braniff uniforms: they allowed stewardesses to negotiate their workplace and other spaces of modern life with agility and grace and were the envy of many women who flew on Braniff in the ensuing years.

Pucci heavily focused on sportswear throughout his career. Inspired by his passion for aviation, which culminated in his service as a pilot in the Italian Air Force during World War II, he thrived when designing fashion for bodies in motion. After all, pilots of Pucci's generation commonly flew in cockpits exposed to the elements, which in turn forced pilots

³¹ The most authoritative account of Brown as a messenger of a rival form of feminism is found in: Scanlon, *Bad Girls Go Everywhere*.

³² Brown, *Sex and the Office*, p. 183ff.

³³ Bradley, *Mass Media and Feminism*, p. 11.

³⁴ As quoted in: Kennedy, *Pucci*, p. 8.

to modify their clothing choices to adapt to this harsh environment. Most prized in the cockpit was a combination of warmth and mobility: leather jackets that were sturdy and warm, yet form-fitting to keep one's arms free, and equally tight leather caps and goggles that mitigated the harshness of the wind while still allowing maximal head movement. With his piloting career cut short by injury, Pucci after the war applied his aerial fashion knowledge to the next-best thing: the ski slopes, which also demanded the same combination of warmth and dexterity in harsh conditions. As his new career as a designer was taking off, Pucci opened one of his first studios in the ritzy village of Gstaad in the Swiss Alps, a haven for the younger, more active elite among the Jet Set, who helped alpine skiing take root as a stylish and increasingly popular postwar leisure activity. Pucci's outfits became *de rigueur* in these exclusive hide-outs, as they mixed the durability and casualness of leisure fashion with a luster more reminiscent of high fashion.

More broadly, this ideal of promoting mobility had long been standard for male fashions, as with the embrace over the 19th and 20th centuries of fitted slacks, tighter suits, and fewer frills. However, Pucci brought to women this same emphasis on streamlined, form-fitting clothing that maximized flexibility. As fashion historian Shirley Kennedy summarizes, 'Emilio Pucci created clothing with the idea of the body always moving: clothes must move comfortably with the wearer, as though she were perpetually on the ski slopes, and, off the rack, they must fit as if custom made'.³⁵ By the time of his collaboration with Braniff, Pucci had updated his aesthetic for active women, employing miniskirts, tights, or both in combination: 'Motion and movement are very important in our lives. A woman can run to get a taxi in a short skirt and still look elegant, but if she runs in a long skirt, she looks gauche'.³⁶ When author Marilyn Bender summarized Pucci's importance, she focused on jet technology. Noting that the early 1960s was 'the threshold of the Jet Age', she claimed: 'the Pucci dress was both symbol and passport of the new era. Fragile-looking but indestructible, chic and sexy, it was the capsule wardrobe for the mobile woman glorying in the body beautiful'.³⁷

For Pucci, the embrace of psychedelic color also stemmed from his passion for aviation. In his World War II piloting missions, he would fly at low altitudes to avoid enemy radar. 'Pucci clearly recalled the constant movement and the kaleidoscope of colors that spread out before him on these long missions'. For the women who were wealthy enough to buy his dresses, however, there was a different impulse tied to this color rush. The vibrancy—still sophisticated, thanks to Pucci's following among the Euro-American Jet Set—was also risqué. It made some women feel uninhibited: 'How did women dare go around city streets in the 1960s', asks Kennedy rhetorically, 'wearing very bright, short, sexy, tight, clingy, wildly printed clothes?'.³⁸

Yet, Pucci's personal ambivalence about feminism belied a multivalence regarding his fashion innovations: they could indeed be perceived as liberatory, but they could also reinforce male dominance. Pucci himself strongly disavowed any advocacy of a more radical feminism. When interviewed in 1964, he started with a sentiment that radical feminists might applaud, advocating a subtler form of feminine beauty: 'America has been left with the idea that a woman is sexy if her bust sticks out or if she has a thin waist'. Holding up the petite and androgynous Audrey Hepburn, Pucci instead insisted, 'It's not the inches of bust that make the difference, but what is inside'. As for Hepburn, Pucci

³⁵ Ibid., p. 46.

³⁶ As quoted in: Ibid., p. 139.

³⁷ As quoted in: Ibid., p. 46.

³⁸ Kennedy, *Pucci*, p. 9.

insisted, 'Everything she has is fire inside'.

At the same time, however, Pucci attacked women's aspiring to equality, especially through work. He continued, 'What is natural to the American woman is to compete with the man in all fields. I think this makes her unhappy. If the end of man is work and creation, the end of woman is home, children, friends, and culture, things that man hasn't time to pursue'. He admitted that 'American women won't accept' his views, steeped in the traditional ideology of separate spheres. But, it was women's naïve efforts to enter men's spheres and vacate their own, in Pucci's view, that prevented certain American women from attaining happiness.

Pucci then added a short sentence to the interview that warrants closer analysis. In detailing the undesirability of mixing spheres, he theorized about an unhappy woman: 'This girl becomes a secretary, goes to dinner with the boss, gets married, gets pregnant, lives in suburbia and joins women's clubs'. Clear in this account is Pucci's scorn for women who refuse to accept the incompatibility of a career with women's happiness found in family life. The inferiority a woman experiences at work—her diminished role as secretary—leads her to desire the power and wealth of her boss and allow the work relationship to become something erotic. The man and woman—boss and secretary—then go through the ostensible steps leading to a woman's fulfillment: dinner, dating, marriage, pregnancy, and settling down in the suburbs. Yet, Pucci's concern is that this domestic life fails to content some women; they end up 'join[ing] women's clubs' in search of fulfillment, involving themselves in the world of feminist activism. While Friedan encouraged housewives to pursue their yearning for something more, Pucci sees this discontent as absurd: 'Something has been missed over there [in America]'.³⁹

Stewardesses were much like the secretaries Pucci attacked. Each struggled to be treated as career professionals and instead was expected to find a wealthier man to marry and then quit work. For stewardesses, these men typically came from the pilot corps, airline management, or the airplane's First Class section. To facilitate such, Pucci, in his designs for Braniff, adapted the cuts and colors of social clothing—the cocktail dress—worn to accentuate roles like hosting, socializing, and sparking attraction in men. Of course, these roles undercut women's aspirations to be treated as professionals, while instead enhancing their desirability as future spouses.

Meanwhile, Pucci's commitment to separate spheres for men and women led him to erase the military elements that marked stewardess attire from the beginning. Gone were the drab colors and androgynous fits, as well as the decorative stripes and wings shared with pilots. In justifying this overhaul, Pucci suggested merely that the uniforms were outdated, 'Most airplane stewardesses are dressed as if they are traveling by bus in the year 1925'.⁴⁰ Yet, Braniff's copy writers elaborated more fully. They claimed the airline's first stewardess in 1937 was attired inappropriately, 'looking as if she probably could fly the plane herself', and then credited Pucci with replacing 'the severe, mannish uniforms' with the feminine touches of color and 'culottes, leotards, wraparound skirts, scarf hats, derbies, serving dresses'.⁴¹ Pucci added to this sentiment by jettisoning the term 'uniform' and instead calling his Braniff creations a 'couture collection'.

This 'collection' allowed stewardesses to sport four distinct looks on the same flight: an exterior layer anchored by a winter coat, a full suit with a wraparound skirt and zippable blazer, then a lighter layer of culottes and a turtle-neck blouse. The fourth item, nicknamed

³⁹ As quoted in: 'Hero, scholar, jet-age Renaissance man, Italian style-setter: Pucci' in *Life*, 16 Oct 1964, p. 70.

⁴⁰ As quoted in: Kennedy, *Pucci*, p. 154.

⁴¹ BC, Box 27, Folder 3, Press release, 'A Braniff International Hostess Is...', undated.

the 'Puccino', was a colorful smock worn when serving food. Each item embodied the combination of elegance, casualness, and sophistication that made Pucci's designs so desirable among celebrities and the 'single girl' set: form-fitting, above-the-knee styles that made women attractive while in motion.

Pucci intended for his layered creation to express the wonder of jet travel. The way he saw it, Braniff's jets would enable a surprisingly quick half-day transition from the icy climate of Chicago to the balmy beaches of Rio de Janeiro. The stewardess, trying to work hard and still look glamorous through these drastic climactic changes, would benefit from layering. She could embark with a thick coat, gloves, and even a space-age plastic bubble helmet (inspired by astronaut gear) to protect her hair from rain or snow, and slowly transition her outfit while in flight. When she landed a few hours and several costume shifts later, she would be clad in culottes and a lighter blouse, ready to say farewell to her passengers on a sweltering tarmac.

By employing form-fitting but breathable and easily washable fabrics, Pucci scrupulously considered the demands of stewardesses' nomadic lives. He was also particularly proud that the entire ensemble fit into an overnight bag. 'In the future', he noted, 'all an international traveler would need add to such an ensemble would be a dress or two and accessories for evening occasions'.⁴² As women identifying with Helen Gurley Brown's 'single girl' became more prosperous, Pucci offered a way for both designers and consumers to enable women's Jet Age mobility. After all, by 1964, there were thirteen million single women in the US and another 23 million married women working outside the home.⁴³ Air travel would inevitably increase, even for women unchaperoned by men. In sum, Pucci's layered 'couture collection' was an innovation closely aligned with women's Jet Age yearnings to move well beyond the home.

That said, when Pucci passed along his designs to Braniff's lead ad executive Mary Wells, she saw major potential for an alternative use for the layered collection, one that was more perniciously sexist than Pucci himself envisioned. Braniff's most frequent fliers, who typically paid for full-fare First Class tickets, were unaccompanied men flying on business. These men also experienced the most fatigue with flying, so if the 'End of the Plain Plane' campaign was to succeed, they needed to shift their travel to Braniff. To this end, Wells decided that stewardesses discarding layers of clothing as they flew southward should do so in the aisles, in full view of passengers. She christened this attraction the 'Air Strip', and made sure that it would be heavily promoted in Braniff ads.

Business Week, one of the most-read publications among well-heeled men, offered a strong endorsement of the 'Air Strip'. After first quoting Harding Lawrence, who noted that Braniff was 'adding sheer pleasure to the experience of flight', the author then added his own perceptions: 'Indeed, a passenger might easily feel that he's attending an airborne striptease show when, right after takeoff, the hostesses peel off their pink uniforms to reveal the blue ones underneath'.⁴⁴ A correspondent with London's *Sunday Mirror* went one step further, linking the 'Air Strip' with the recently released hit movie 'Boeing Boeing', in which actor Tony Curtis secretly dated three flight attendants at the same time. 'The things they get up to in the air these days!' begins the article, 'There was I, minding my own business, 32,000 feet up on a flight from New York to Mexico when ... Boeing-Boeing. She did it'. He continues, 'The air hostess. She started to undress. Bang in the

⁴² AGA, Box 'MAR 00105 D-4', Folder 'Girard Press - 01/1964 - 12/1965', 'World Fashion Press Acclaims Pucci-Braniff Flight Fashions' in *The Braniff B-Liner*, July 1965, p. 4.

⁴³ Scanlon, *Bad Girls Go Everywhere*, p. 144.

⁴⁴ 'Braniff refuels on razzle-dazzle' in *Business Week*, 20 Nov 1965, p. 110-11.

middle of the aisle. Fasten your seat belts. There's more to this than meets the eye. Because four other hostesses were doing a similar air strip in other parts of the giant Boeing 720 jet'. Adding to his analysis, the author quotes a stewardess: 'Said Carol: "It's zip zip zip all the way. The passengers seem to love it, and we think many fly Braniff just to see our act"'. The author then concludes, 'You could be right, Carol. You could be right'.⁴⁵

Mary Wells made sure the 'Air Strip' received prominent play in the 'End of the Plain Plane' campaign. She devised a media plan that involved a two-step placement in newspapers: on the first weekend, color ads boasting the 'End of the Plain Plane' would run in 41 newspapers in 33 cities. Then, 'A week later our second color newspaper ad will run in the same 41 newspapers headlined, 'Introducing the Air Strip'.' To maximize Braniff's exposure to businessmen for the 'Air Strip', Wells followed up with TV ads during American football broadcasts.⁴⁶ The 'Air Strip' television ad begins with whistling music common to striptease acts and then focuses on a stewardess, suggestively smiling at the camera, in the process of disrobing through her various layers of colorful minis. It concludes with a male voice-over—in the deep, slow tone of an emcee at a strip club—exclaiming, 'The Air Strip is brought to you by Braniff International, who believes that even an airline hostess should look like a girl'.⁴⁷

The debut of the 'Air Strip' found no serious opposition in the mainstream media. Instead, it played a key role in fulfilling Harding Lawrence's goal of filling seats on Braniff's new jets. By June 1966, the airline's passenger traffic was up 48.7 per cent over the previous year. Its revenue in the first full year of the campaign similarly rose by 42 per cent.⁴⁸ Meanwhile, the media's only consideration of the 'Air Strip' from the perspective of Braniff's stewardesses fit the mold of Helen Gurley Brown's 'single girl'. The stewardess stressed a new-found freedom in Pucci's clothes: 'We love the new outfit. It makes you feel like a real female and not a busboy'.⁴⁹

III Mary Wells Lawrence and the Classist Legacy of 'Jet Age Feminism'

In a passage reminiscent of Helen Gurley Brown's *Sex and the Single Girl*, Mary Wells confessed in her autobiography that her work with Braniff inspired romance. She traced the spark to the very moment in mid-1965 that Harding Lawrence agreed to her plans to paint Braniff's jets in a rainbow of colors. 'That had to be the moment I fell in love with him'.

Married at the time to other people, Harding Lawrence and Mary Wells started one of America's most high-profile office romances. As they worked their way through divorces, they also worked together to mold Braniff into one of America's fastest growing airlines. When they wed in November 1967, Harding and Mary Wells Lawrence became one of America's most high-profile 'power couples', each keeping their careers and pulling in salaries of over \$100,000 per year, near the peak of executive pay scales at the time.

Mary Wells Lawrence thereby served as a corporate-class expression of Jet Age feminism, which is both similar to and different from the working-class variety embodied,

⁴⁵ 'The Air Strip' in *Sunday Mirror*, 20 Mar 1966, p. 21.

⁴⁶ BC, Box 34, Folder 2, Memo from Rex Brack to All Employees, 24 Nov 1965.

⁴⁷ 'Braniff International Presents the Air Strip', Television Ad, December 1965. <https://www.youtube.com/watch?v=7TZXRyuhSMg>

⁴⁸ On passenger traffic see Newman, C., 'Color It Colorless: Black and White Gain in Fashions and Homes' in *Wall Street Journal*, 08 Jun 1966, p. 1. On revenue see Loomis, C., 'As the World Turns—On Madison Avenue' in *Fortune*, December 1968, p. 114.

⁴⁹ 'Wild Hue Yonder' in *Life*, 03 Dec 1965.

though imperfectly, by Braniff's stewardesses. She wasn't exactly a 'single girl' when she met Lawrence, but she was still relatively young (aged 37) and very much a working woman. In fact, she succeeded quite spectacularly in the otherwise male-dominated field of advertising. She also exercised a sexual agency that would endear her to Brown, managing the minefield of come-ons from powerful men in the office, and striving with both her first and second husbands to make marriage work in a dual-career household.

Wells Lawrence was a polarizing figure in women's liberation circles. She was at once praised for her successful career in a male-dominated world and her bold reworking of marriage to accommodate her professional aspirations, while also scorned for building her own success by promoting sexism in her various marketing campaigns. Amongst more radical feminists, even her egalitarian marriage to Harding Lawrence constituted grounds for attack. The famous author and activist Gloria Steinem quipped, 'Oh, well, Mary Wells Uncle Tommed it to the top', attributing Wells Lawrence's formidable career successes to her cozy relationship with men like Lawrence.⁵⁰ Furthermore, in her assessment of Wells Lawrence's career, media historian Patricia Bradley finds that she, 'took no position on feminism, took no particular interest (judging by her memoir) in promoting professional women's careers at her agency, and was not involved in the push to change women's images in advertising'.⁵¹

Despite enjoying far more class privilege, Wells Lawrence still shared elements in common with her working-class counterparts. She too experienced unwelcome come-ons from men while at work. Indeed, one of her bosses hired her based in part on his attraction to her, thereby copying a formula for success that Helen Gurley Brown introduced in *Sex and the Single Girl*. This sort of wagering about the risks and benefits of her boss's attractions was all too familiar to Wells Lawrence's working-class counterparts in the stewardess corps. Those who were savviest could artfully negotiate flirtations from pilots and customers. But, if the man's unreciprocated interest escalated, stewardesses and women executives alike were forced to manage an unwelcome and potentially dangerous workplace distraction.⁵²

Mary Wells Lawrence stayed on as Braniff's account executive for about a year after her marriage to Harding Lawrence. During this time, the couple moved Mary's children to Dallas to live with Harding, while Mary maintained her home and office in New York. She flew back to Dallas most Fridays, often meeting the family at the airport, so they could all continue further southward on Braniff's evening flight to Acapulco. Between homes in Dallas, New York, Acapulco, Arizona, and the Cote d'Azur, the family led a decidedly non-traditional life: 'Harding and I are both naturally nomadic and our timing was good', commented Wells Lawrence. 'The jet was cutting the world in half, in fact the world was fast becoming small'.⁵³ As such, the Jet Age was stimulating the social forces that unleashed not only new iterations of feminism, but new constellations of marriage and family.

At the end of the first year of marriage, however, Braniff's board of directors determined that the Wells-Lawrence marriage constituted a conflict of interest. Thus, somewhat similarly to stewardesses, marriage led to an end of Mary Wells' work for Braniff. In her

⁵⁰ Raine, G., 'Creative fizz: Mary Wells' memorable ad campaigns for such clients as Braniff and Alka-Seltzer helped make her the first woman to run a publicly traded company' in *San Francisco Chronicle*, 30 May 2002.

⁵¹ Bradley, *Mass Media and Feminism*, p. 213.

⁵² For accounts of sexual harassment and other forms of abuse against stewardesses, see Panter Nielsen, *From Sky Girl to Flight Attendant* and Barry, *Femininity in Flight*.

⁵³ Wells Lawrence, *A Big Life in Advertising*, p. 59.

case, however, the exit was quite lucrative. She was resourceful enough to lure a rival airline, TWA, to sign on with her ad agency. As TWA was a larger airline, the payout for this exchange was impressive: 'In economic terms, [Wells'] agency would give up about \$7.5 million in billings...and take on \$22 million'.⁵⁴ The day the deal was announced, writes Wells Lawrence, 'was the day some of Madison Avenue's old guard decided women were dangerous to the advertising community and that I was not only an arriviste but the queen of black widow spiders'.⁵⁵

For Wells Lawrence, marriage was, thus, an effective business tool, enhancing her hand in the aviation industry by combining her impressive connections with those of her husband. Rather than an off-ramp into a life as wife and mother, as was the expectation for stewardesses, Wells Lawrence's marriage propelled her career ever higher. She also maintained her financial and personal independence. As Wells Lawrence explains, 'In 1967 when Harding and I married it never entered his mind or mine that I would leave [my firm], that we would have a traditional marriage living and working in the same town'. This reality, for her, was vitally important to feminism, even to the radical feminists with whom she often clashed:

Betty Friedan established NOW in 1966 and ... the psychological shift that the women's movement brought to society had not yet changed it. Long-distance marriage was major news, and we were forever being interviewed about the details of ours. There was just enough awareness about what Betty Friedan called 'the problem that has no name', the growing sense that motherhood and housework were not enough for some women, that our marriage was examined with respect, if not awe.⁵⁶

What is missing from Wells Lawrence's assessment is a sense of cross-class solidarity. She was proud that both her trailblazing career and her unconventional marriage opened new pathways for women. Yet, her work for Braniff, especially the 'Air Strip' campaign, only reinforced an already sexist culture in aviation. Working-class women at Braniff thereby found no opportunity to emulate Wells Lawrence's successes, whether on the job or in her marriage. As such, Jet Age feminism disproportionately favored women in the corporate class.

Support for stewardesses ultimately came from radical feminists, including the National Organization for Women. Already in 1965, as Wells was masterminding the 'End of the Plain Plane' and the 'Air Strip', NOW and other groups began to support stewardesses' grievances from across the airline industry. Their fight boiled down to one central claim, which even Braniff admitted but refused to fully accept: that flight attendants were first and foremost safety professionals. Over the next decade, this vision prevailed, as courts ultimately ordered that flight attendants be endowed with fuller authority.⁵⁷ Braniff and other airlines which had imitated them then jettisoned the colorful, sexy uniforms of the Jet Age feminist era and replaced them with more professional attire. These activists also forced airlines, including Braniff, to end bans on marriage or pregnancy and to refrain from using stewardesses' bodies as marketing material. As such, Pucci's and Wells' efforts in 1965 to stimulate profit by deploying sexual arousal would ultimately be superseded by a more profound commitment to women workers' equality. But for the better part of a

⁵⁴ Loomis, 'As the World Turns', p. 194.

⁵⁵ Wells Lawrence, *A Big Life in Advertising*, p. 101.

⁵⁶ Wells Lawrence, *A Big Life in Advertising*, p. 59.

⁵⁷ See Barry, *Femininity in Flight*, pp. 144-73, and Tiemeyer, *Plane Queer*, 80-108.

decade, their creations comprised one of the hottest trends in American and global aviation, spreading the deeply compromised notion of Jet Age feminism widely.

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Pakistani Civil Aviation and U.S. Aid to Pakistan, 1950 to 1961[†]

By S. WAQAR H. ZAIDI*

This paper is a preliminary exploration of the nature and extent of U.S. aid for Pakistani civil aviation in the 1950s, and the relationship of this aid to the wider political and economic ties forged between the two countries at that time. It suggests that the United States was central in shaping the development of Pakistani civil aviation in this period, and that U.S. aerial aid was part of the wider capture of Pakistan into the U.S. military-strategic orbit in the fifties. The paper in particular posits a connection between U.S. aid for Pakistani civil aviation and the usefulness of Pakistan as a military ally in the Cold War. The paper suggests that the growth of international civil aviation in Asia was to a certain extent driven by the United States and its geopolitical and commercial concerns.

The years following the Second World War were transformative for national civil aviation networks around the world. Networks suspended during the war were restarted or reconstructed, and new networks and airlines were created or expanded in newly sovereign states. The burgeoning postwar industry literature on civil aviation showed rapidly increasing numbers of aircraft, passengers, passenger-miles, and airlines.¹ This expansion was particularly prominent in Asia. In the decade following the war, large numbers of countries gained their independence, and as they did so looked to stabilize their newly emergent sovereign territories whilst also acquiring markers of status, prestige, and modernity.² A modern and modernized national civil aviation network, and particularly its most prominent public components, national airlines and international airports, fulfilled these roles. This transformation in civil aviation was driven by technological change too. The war had led to the development of new types of aircraft that promised faster, safer, and more comfortable travel. It also drove the expansion of aviation industries in Britain and the United States, which by 1945 were looking for new markets for their commercial transport aircraft.³ These factors pushed the development of civil aviation in Asia, including the replacement of older aircraft with newer ones, and the refurbishment of aerial facilities

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¹ See for example: The Department of State, *International Civil Aviation 1949-1950*, p. 3.

² Davies, *Airlines of Asia since 1920*.

³ See for example: Engel, *Cold War at 30,000 Feet*.

such as runways, air terminals and air control centres, and ground navigation equipment. Asian aerial networks also developed and expanded because of the military and geopolitical concerns of the leading international aerial and imperial powers such as Britain, the United States and the Netherlands. Aerial networks across Asia kept open trade and communication links, as well as their supply lines to their military forces and colonies in Asia.⁴

Pakistan was one of the many sovereign Asian nation-states which looked to build a new national aviation system in the decades following the Second World War. The country emerged in 1947 with few industrial resources and even fewer of the markers of modernity. Its leadership was keen to grow its economy and modernize the country as quickly as possible, and to expand its armed forces in order to stabilize the nation and defend it against its neighbours. Civil aviation quickly emerged as one of several areas that appeared to require growth and investment. The state needed civil aviation for the fundamentals of national governance; to be able to, for example, move its officials from city to city and city to province. Pakistan was split into two wings, East and West Pakistan, with regional rival India in between, and land transport networks were poor within each of the Wings too. Although Pakistan had a pre-existing Indian colonial-era aerial network it could build on (including the subcontinent's largest civilian airport, at Karachi), creating a sustainable network that could satisfactorily bind the nation together appeared to be beyond the national technical and economic capabilities of the Pakistani state and private Pakistani enterprise. Pakistan had from its very beginning been reliant on foreign assistance for its nascent civil aviation infrastructure, but in the 1950s the state turned to the United States for assistance for a far reaching program of aerial network building.

This paper is a preliminary exploration of the nature and extent of U.S. aid for Pakistani civil aviation in the 1950s, and the relationship of this aid to the wider political and economic ties forged between the two countries at that time. It suggests that the United States was central in shaping the development of Pakistani civil aviation in this period, and that U.S. aerial aid was part of the wider capture of Pakistan into the U.S. military-strategic orbit in the fifties. The paper in particular posits a connection between U.S. aid for Pakistani civil aviation and the usefulness of Pakistan as a military ally in the Cold War.

There is a growing literature on twentieth century aviation which is now moving away from earlier heroic narratives, and exploring its political, economic, and cultural aspects in exciting and informative ways, and connecting aviation history to the wider history of the twentieth century.⁵ The development of aviation in Asia remains poorly explored in this regard, however, and the role of transnational currents and connections even less so. R.E.G. Davies' classic work, *Airlines of Asia since 1920*, remains the only major synoptic overview of civil aviation in Asia. Although wide-ranging, the book essentially consists of separate studies of national civil aviation systems, with little connection to international or global wider social, political, and cultural currents.⁶ A steadily growing number of national case studies are connecting to wider national socio-political currents, though to transnational connections are still scarce. Military connections and considerations moreover remain largely absent or only obliquely alluded to this literature.⁷

⁴ See for example: Hingham, *Speedbird*, pp. 97-100, 111-116, 118-119, 130.

⁵ Some recent examples are: Hiatt, *The Rarified Air of the Modern*; Van Vleck, *Empire of the Air*; Piglia, "Carry our colours and defend our interests under the skies of other Continents"; Taylor, 'From Turbulent Skies to Calmer Air Currents'.

⁶ Davies, *Airlines of Asia since 1920*. A more succinct and temporally limited overview is: Baumler, 'Aviation and Asian Modernity 1900-1950'.

⁷ On Asia see for example: Raguraman, 'Airlines as Instruments for Nation Building and National Identity'; Young, *Aerial Nationalism*.

There is nevertheless a small literature on the politics of U.S. involvement in Asian aviation which provides an important backdrop for this paper. This literature shows that the United States had a deep interest in aerial development in Asia for commercial and geopolitical reasons. Jennifer Van Vleck has argued that U.S. aerial expansion in Asia (and elsewhere) was an 'empire of the air' which sustained U.S. influence or dominance, military, cultural, and economic, around the world.⁸ Her study of U.S. funding for Afghan civil aviation in the 1950s and 1960s points to the wider modernization and Cold War impulses driving U.S. aid at that time.⁹ Jeffrey Engel has meanwhile explored Anglo-American rivalry in commercial aviation in the decades following the Second World War, noting in particular the extension of this rivalry to the Soviet Union and China.¹⁰ On the other hand there are some significant case-studies of U.S. funding of aerial development in the near east. James Gormly's study of the U.S. construction of the Dhahran air base in Saudi Arabia in late 1945 also emphasizes Anglo-American rivalry (this time in the Middle East), and is noteworthy because of the connections it makes between military and civilian aviation.¹¹

I The Birth of Pakistani Aviation

Aviation in the Indian subcontinent has a rich history stretching back to early 1911, though it was in the 1920s and 1930s when the British state developed an air route from Britain to India, and eventually beyond to South East Asia. As well the British airline Imperial Airways, local Indian airlines were also setup in the thirties and during the Second World War, the most famous perhaps Tata Air Services (later Tata Air Lines) launched in 1932. One such airline, Orient Airways, launched by prominent Muslim businessmen in May 1947, shifted from its base in Calcutta to Karachi following Partition, and became Pakistan's premiere civil airline. The airline was small. It operated mostly ex-U.S. military Douglas 'Dakota' DC-3s left over from the war, and was soon joined by an even smaller operation, Pak Air Limited.¹²

By 1950 however the Pakistani state had decided that Pakistan's private airline industry needed to be nationalized. Although the reasoning behind nationalization is yet to be explored by historians, it is clear that, at the very least, a number of crashes and accidents raised safety concerns, and ongoing tensions with India continued to cause anxiety over the security of the existing air route between East and West Pakistan. Orient Airways Dakotas flying from Karachi to Dhaka needed to stop en route in India for refuelling, which meant that India could cut off the route at any time. Given ongoing tensions between the two countries this was a real concern. In 1951 a new technical solution presented itself: the launch of the long distance L-1049 Super Constellation airliner by the U.S. aerospace company Lockheed. The airliner, though expensive, promised new levels of speed, comfort, capacity, and operational range. Within three years it was in operation in the United States with Eastern Airlines and Trans World Airlines, and internationally with Air France, KLM, and Trans-Canada Airlines. Qantas and Air India acquired it too.¹³ Crucially for Pakistani policymakers the aircraft could fly nonstop between Karachi in West Pakistan to Dhaka in

⁸ Van Vleck, *Empire of the Air*, pp. 1-17.

⁹ Van Vleck, 'An Airline at the Crossroads of the World'.

¹⁰ Engel, *Cold War at 30,000 Feet*, pp. 104-117, 187-215, 221-251, 277-289.

¹¹ Gormly, 'Keeping the Door Open in Saudi Arabia'.

¹² Davies, *Airlines of Asia since 1920*, pp. 1-25, 63-66.

¹³ Francillon, *Lockheed Aircraft Since 1913*, pp. 309 – 314; Breffort, *Lockheed Constellation*, pp. 82-89.

the east. The plane was however too expensive for Orient to lease, purchase, or maintain. The State, it appeared, needed to step in and purchase the aircraft. This was duly done in 1954. The new non-stop L-1049C Super Constellation service connecting East and West Pakistan was inaugurated in June of that year, and the concurrent nationalization of Orient Airways was completed with the formation of the Pakistan International Airline Corporation in 1955, into which Orient was incorporated. In February 1955 Pakistan International Airlines (PIA) launched its first trans-continental air service, between Karachi and London via Cairo and Rome, using the new long-distance aircraft.¹⁴ The acquisition of the L-1049C Super Constellation, and the subsequent nationalization of the Pakistani civil aviation industry and the creation of PIA was made possible, as the rest of this paper shows, through loans, grants, and technical assistance from the United States.

II U.S. Aims for Military Aviation in West Asia

U.S. interest in the area subsequently known as West Pakistan, from an aerial point of view, had in fact emerged as part of a wider interest in military aerial routes across Asia during the Second World War. As early as 1942 the U.S. set about developing air routes across the Middle East and India to supply Allied forces in the Far East. The establishment of the U.S. Tenth Army Air Force in India by March 1942, and the closure of the lower portion of the Burma Road for supplies into Burma and China, led to the development of a U.S. air route connecting the Middle East to India and then onwards to China. Pan American, which was already supplying aircraft to the U.S. military for transport, transferred ten DC-3s from its trans-Africa route to inaugurate the India-Burma-China route. The development of the route involved investment in ground aerial facilities, road links, ports and other infrastructure, particularly at the six Indian airbases and airports which hosted large numbers of U.S. army air forces. Karachi airport, then the largest commercial airport in colonial India, was one of the most important of these six. This airport was requisitioned by the Indian government for military use, and was extended and refurbished at significant cost in order to carry and service the increasingly heavier troops, equipment, and supplies heading east.¹⁵ The U.S. Tenth and Fourteenth Army Air Forces, as well as Air Transport Command, used the airport extensively. Air Technical Service Command established extensive maintenance and depot facilities at Karachi, and its air strips were hardened and lengthened to accommodate heavy military transports and bombers.¹⁶

This interest extended readily from the exigencies of the Second World War to Cold War concerns into the postwar period. On the one hand this extension was driven by the logic of U.S. airbase construction and planning on the ground. The United States acquired and invested in a number of foreign airbases, airstrips, and airports for military use during the war. But in some cases airfields were not fully ready in time. This was the case for the Dhahran airfield in Saudi Arabia. U.S. wartime interest in the construction of a large air base in the Middle East to handle the increasing air traffic towards India (and onwards to China and the Far East) led to negotiations with Saudi Arabia for the development of a small pre-existing airstrip at Dhahran. Opposition from Britain, amongst other factors, led

¹⁴ Andrus and Mohammed, *The Economy of Pakistan*, pp. 66-67.

¹⁵ Craven and Cate (eds.), *The Army Air Forces in World War II* volume 2, pp. 7-8; 'Memorandum by the Joint Chiefs of Staff to the State-War-Navy Coordinating Committee'. The six major stations were: Karachi Airport, Agra Airport, Kharagpur-Dudkhundi Air Base, Calcutta Air Base, Dum Dum Airport, and Barrackpore Airport; see: 'Memorandum by the Acting State Member, State-War-Navy Coordinating Committee (Hickerson)'.

¹⁶ Plating, *The Hump*, chapter 3; Daugherty III, *The Allied Resupply Effort*, pp. 63-65.

to delays, and the war was already over by the time an agreement was reached with the Saudis. The United States nevertheless continued with the construction of the Dhahran Air base as part of its wider global aerial military infrastructure. The wartime rationale, that the base was required to wage the war in the Pacific, was replaced by a postwar concern with securing supply lines to U.S. forces occupying Asia, and keeping Soviet power in check. Construction was begun in late 1945 and completed in 1946. The base was run by the U.S. military until 1962 when control was handed over to Saudi Arabia, though the base continued to be used by the U.S. military for many years afterwards.¹⁷

On the other hand, the United States military highlighted Asian air bases as a crucial component of its strategic planning, during the war, for the postwar period. The usefulness of foreign air bases had become apparent during the war, and the U.S. military began planning for the postwar period in 1943. The first detailed proposal (which included deployed strength numbers) was produced in the American Air Force's June 1944 *Initial Post-War Air Force Plan*. The plan highlighted the need for a string of overseas air bases to contain potential postwar threats to the United States, and to strike out at adversaries. Planning continued into 1945, and soon involved the navy and the Joint Chiefs of Staff as well. By July 1945 American Air Force planners were hoping to acquire (at the very least) military air transit and landing rights for more than 125 sites excluding those in U.S. overseas territories, or more than 150 including U.S. overseas possessions. This planning included the requirement for rights for a string of Asian airports and bases in order to maintain aerial connections from Europe eastwards into Asia. One Joint Chiefs of Staff report prepared in January 1946 suggested a major east-west aerial artery from Casablanca to Algiers, Tripoli, Cairo, Dhahran, Karachi, Agra, Kharagpur, Rangoon, Bangkok, Saigon, and Manila.¹⁸ In one November 1946 memorandum to the British Embassy the State Department pointed out that the United States had contributed over USD 12 million for the 'enlargement of existing commercial air fields' in Egypt, India, and Burma, and requested that the United States receive similar military usage right as the British government to key Indian airports and airbases: the Dudhkundi and Barrackpore airbases (now in the Indian state of West Bengal), and Karachi Airport. The memo suggested that these rights include 'Rights for landing, fueling, repair and if desired, the continuing right to retain, or later station, up to 100 air force personnel' for Britain and the United States. This military use was to extend to frontline offensive or defensive action: the bases, the State Department suggested, could be used by Britain and the U.S. to carry out 'such enforcement measures as may be directed by the Security Council'.¹⁹

This planning extended to the use of atomic weapons. Early postwar war plans envisaged bombing raids into the Soviet Union from a string of airbases close to the country's borders. Asian bases were especially important as they allowed U.S. bombers to hit targets deep within the Soviet Union which otherwise would not have been accessible. Air bases in Egypt and north/north-west India were valued because of their generally excellent weather conditions, and their ability to strike significant targets in the Soviet Union. War plans highlighted Karachi as one such staging point for these strikes. U.S. bombers setting out from Karachi airfields would have carried not only conventional explosives (and possibly chemical weapons), but atomic bombs too – one March 1948 war plan emphasized Karachi, alongside bases in the UK and Okinawa, as a crucial launching site for bombers laden with

¹⁷ Gormly, 'Keeping the Door Open in Saudi Arabia'.

¹⁸ Converse III, *Circling the Earth*, pp. 51-55, 107-108, 135, 138; Leffler, 'The American Conception of National Security'; 'Memorandum by the Joint Chiefs of Staff to the State-War-Navy Coordinating Committee'.

¹⁹ 'The Department of State to the British Embassy: Aide-Memoire'.

atomic bombs.²⁰ Karachi's importance was boosted by the realization that bases in Turkey and Egypt would be increasingly vulnerable to aerial attack as the Soviet Union developed a new generation of longer range bombers in the late forties. The 1948 *Frolic* war plan, for example, omitted Turkey and Egypt as launching sites for aerial strikes for this reason.²¹ There was also significant debate over whether or not a U.S. air base in Karachi could be defended against Soviet attack. One criticism was that the defence of Karachi required the maintenance of supply lines across the Middle East, and so if the Middle East needed to be defended anyway, it might be more efficient to concentrate U.S. defences there, along with the country's near east bomber fleet.²²

Notwithstanding these concerns, Karachi's port and proximity to the Middle East added to its attraction as a base of military operations. One 1949 Joint Chiefs of Staff study noted that 'the Karachi-Lahore area in Pakistan may, under certain conditions, become of strategic importance. In spite of tremendous logistic difficulties, this area might be required as a base for air operations against central USSR and as a staging area for forces engaged in the defense or recapture of Middle East oil areas.' The study suggested that the U.S. 'endeavor to make commercial arrangements which would, in emergency, facilitate development for operational use of base facilities in the Karachi-Lahore area.'²³ More detailed military plans envisaged that in the event of Soviet hostilities in the Middle East, carrier air and land-based air assaults would support amphibious assaults from Karachi onto Bandar Abbas, Qatif, and Bahrain, and then onto Kuwait, Basra.²⁴ The military recognized that Karachi air base would however need to undergo another series of (expensive) refurbishments to allow it to function as a base for atomic operations, and even though later war plans moved Karachi down the priority list of atomic air bases, the military nevertheless suggested that planning for this refurbishment should be undertaken.²⁵

III U.S. Aid and Pakistani Aviation

The Pakistani state had been keen to align itself with the United States in return for military and economic aid since Partition. As early as May 1947, even before the creation of Pakistan, Muhammad Ali Jinnah met with U.S. diplomats in India and requested U.S. aid, arguing that Pakistan would promote U.S. interests by standing against the Soviet Union and Indian expansionism.²⁶ In October 1947, shortly after independence, the Pakistani government issued a formal request to the U.S. State Department for military and economic assistance. The amount requested was enormous, USD 2 billion over a five year period, consisting of USD 700 million for industrial development, USD 700 million for agricultural development, and USD 510 million for defence. The defence amounts included USD 170 million for the army, USD 75 million for the air force, and USD 60 million for the navy. 'This would involve virtual U.S. military responsibility for the new dominion' was one

²⁰ Converse III, *Circling the Earth*, p. 113, 172. Ross, *American War Plans*, p.71.

²¹ Ross, *American War Plans*, p. 71. On the politics of the Abu Sueir airbase in Egypt see: Colman, 'The 1950 "Ambassador's Agreement" on USAF Bases in the UK'.

²² Ross, *American War Plans*, pp. 72-74, 87. See also: Cohen, *Fighting World War Three From the Middle East*, p. 21, 22, 44.

²³ 'Report by the SANACC Subcommittee for the Near and Middle East'; McMahon, 'United States Cold War Strategy in South Asia'.

²⁴ Ross, *American War Plans*, p. 88.

²⁵ Ross, *American War Plans*, p. 74; Cohen, *Fighting World War Three*, p. 22. Karachi may have been moved down the priority list because of British intervention, who pointed out adverse Indian reaction and probable Pakistani demands for greater aid and diplomatic support. Cohen, *Fighting World War Three*, p. 22.

²⁶ Venkataramani, *The American Role in Pakistan*, p. 1; Larson, 'United States-Pakistan Relations', p.15.

astonished response from the Joint Chiefs of Staff.²⁷

U.S. policymakers believed that Pakistan could be of immense geopolitical value to the United States, but were not willing to upset India by acquiescing to Pakistan's requests for large amounts of aid. A 1949 report by a White House staff assistant captured the wider sense of Pakistan's strategic significance for the United States. He emphasized its proximity to both the Soviet Union and the Middle East oil fields; its potential to defend both the Indian Ocean and the Indian subcontinent; the fact that it was the most populous Muslim nation in the world; and finally its army, which was substantially better than any in the Middle East.²⁸ Nevertheless, India's size and prominence could not be ignored in any consideration of its reaction to support for Pakistan, and so U.S. assistance was largely of a token sort in the late forties. In response to the 1947 request the U.S. only provided USD 10 million of emergency aid for refugees. This was followed in May 1948 by the provision of 30 AT-6 military training aircraft and spare parts for the Pakistan army's Stuart and Sherman tanks and various tracked carriers.²⁹

There was however more willingness to provide assistance to build up civil aviation in Pakistan due to Karachi's strategic position along the major Middle East to Asia aerial route, and its location in relation to the Soviet Union. Support for Pakistani civil aviation was part of a wider U.S. strategy to build up civilian aerial infrastructure in key allied states in west Asia. An April 1950 (that is pre-Korean War) Department of State Policy Statement on Pakistan emphasized the need to 'assist Pakistan to maintain adequate air, navigation and communications facilities, together with a sound domestic air transport system' in order to allow for maximum commercial aerial transit through the country, and even the picking up of passengers in Pakistan for further travel east or west (the so-called 'fifth freedom traffic'). U.S. airlines, in addition, needed to maintain air services to the country.³⁰ Through the 1948 Smith-Mundt Act (which provisioned for U.S. information and cultural exchanges abroad) and the International Aviation Facilities Act Congress authorized the Civil Aeronautics Administration to send teams of advisors to foreign countries to assess civil aviation needs. The first teams were sent to Turkey and Pakistan.³¹ One outcome of this visit was that Karachi airport received a state of the art USD 180,000 General Electric 'High Intensity Runway and Approach Lighting System' in 1949, giving the airport one of the most advanced lighting systems in Asia.³²

As concern over the spread of Communism in Asia grew from 1950 onwards, especially following the onset of the Korean War, U.S. policymakers became more responsive to continuing Pakistani requests for economic and military assistance.³³ More fearful of Communist aggression, and concerned with protecting Middle Eastern oil supply if a global war broke out with the Soviet Union, policymakers once again focused on the possibility of Pakistani military support in the Middle East. State Department representatives meeting in Colombo in February 1951 concluded that 'the most effective military defense of this area would be provided by strong flanks which on the west must include Pakistan...Pakistan

²⁷ Venkataramani, *The American Role in Pakistan*, pp. 16-26; 'Report by the SANACC Subcommittee for the Near and Middle East'.

²⁸ 'Notes on Pakistan' in Stephen J. Spingarn Papers (26 October 1949), cited in McMahon, 'United States Cold War Strategy'.

²⁹ Venkataramani, *The American Role in Pakistan*, pp. 16-26, 48-50; Larson, 'United States-Pakistan Relations', p.19; 'Report by the SANACC Subcommittee for the Near and Middle East'.

³⁰ 'Department of State Policy Statement'.

³¹ Van Vleck, 'An Airline at the Crossroads of the World'; Franck, 'The Interchange of Government Experts'.

³² 'News Digest'.

³³ Larson, 'United States-Pakistan Relations', p. 44.

can provide important ground forces now, either directly in [Southern Asia] or to the Middle Eastern flank.' At a meeting at the Pentagon in May of that year the Assistant Secretary of State for Near Eastern, South Asian, and African affairs flatly stated that 'With Pakistan, the Middle East could be defended, without Pakistan, I don't see any way to defend the Middle East.'³⁴

U.S. military and economic support, however, was effectively blocked by British concerns over the impact on relations with India and by a wider lethargy within the Truman administration. Requests for military aid, such as that by a high-level Pakistani delegation in July 1952, went unfulfilled. It was only when Eisenhower won office that the U.S. moved to cement an alliance with Pakistan. Secretary of State John Foster Dulles and Mutual Security Administrator Harold E. Stassen visited Pakistan in May 1953 as part of a three-week tour of the Middle East and South Asia. They returned with the suggestion that the U.S. abandon hopes for defending the Middle East through Egypt, as the British had been suggesting, and instead invest in the 'northern tier' countries as the key to the defense of the region: Pakistan, Iran, Iraq, Syria, and Turkey. By the time Commander-in-Chief of the Pakistani army General Ayub Khan visited the U.S. later that year to (once again) request military aid, U.S. policymakers were already moving towards the conclusion that they needed to supply Pakistan militarily. Ayub was assured that aid would soon be forthcoming. In January 1954 Eisenhower approved military assistance for Pakistan, and in February Washington publicly announced this commitment. In May Pakistan and the United States signed the Mutual Defense Assistance (MDA) Agreement, which formally committed the U.S. to military and economic support for Pakistan. Pakistan also built closer ties with U.S. allies and joined alliances sponsored by the United States. Most prominently in September 1954 Pakistan joined the South East Asian Treaty Organization, and in 1955 the Baghdad Pact (later known as the Central Treaty Organization).³⁵

Initially, in late 1954, the United States put together an official MDA aid package worth USD 105.9 million, composed of USD 75.6 million in commodity assistance, USD 5.3 million in technical assistance, and USD 25 million for defense support. In addition a second agreement committed the U.S. to equip four Pakistani army infantry and 1.5 armored divisions, to provide aircraft for six air force squadrons, and supply twelve naval ships. This military aid was at that time costed at USD 171 million spread over several years, of which USD 50 million was expected to be spent in the coming fiscal year.³⁶ Over the years the cost of fulfilling this commitment ballooned. U.S. reports in 1956 estimated that the October 1954 commitments would cost USD 505 million, with an additional U.S. military aid commitment of USD 100 million per year.³⁷ The financial appendix to NSC 5701 estimated a total Military Assistance cost of USD 410 million over the four years 1957 to 1960, and a Defense Support cost of USD 374.7 million over the same period.³⁸

Although there were significant concerns over the swelling costs of the military commitment to Pakistan, as well as doubts about the country's political and economic stability (and even its ability to effectively deploy forces in the Middle East), the United States remained committed to its military promises. This was due not only to a sense that the administration would lose face by backing out, but also because of increasing tensions

³⁴ McMahon, 'United States Cold War Strategy in South Asia'.

³⁵ McMahon, *The Cold War on the Periphery*, pp. 153-173; 'Memorandum of Discussion at the 147th Meeting of the National Security Council'; Venkataramani, *The American Role in Pakistan*, pp. 301-303.

³⁶ Kux, *The United States and Pakistan*, pp. 68-69; Venkataramani, *The American Role in Pakistan*, pp. 318, 333.

³⁷ Kux, *The United States and Pakistan*, pp. 83-84.

³⁸ Venkataramani, *The American Role in Pakistan*, pp. 335.

with Gamal Abdel Nasser's Egypt (which would lead to a full blown crisis in July 1956 following Nasser's nationalization of the Suez Canal). There were concerns also that leading pro-Western Pakistani politicians would lose domestic support if the U.S. watered down its commitments.³⁹

New technologies also made Pakistan more useful for surveillance of the Soviet Union. In the mid-fifties Pakistan gave permission for the U.S. to set up a communications intercept center at Badaber, ten miles from Peshawar. The facility, run by the U.S. National Security Agency, carried out electronic monitoring of Soviet communications in the late 50s and 60s. More importantly, by 1956, the United States was ready to launch a new spy plane, the Lockheed U-2, which could take high quality surveillance photographs whilst flying at high altitude over the Soviet Union. Pakistan's proximity to the Soviet Union made it an ideal launching site, and U.S. interest in Pakistani military infrastructure, and air facilities in particular, increased even further. By 1957 the Central Intelligence Agency was regularly launching flights from a military airbase near Peshawar to overfly the Soviet Union and China. It was also flying the U-2 along Soviet border areas (and occasionally into Soviet airspace), and used airfields in Lahore (Pakistan), Adana (Turkey), and Meshad and Zahedan (Iran) for this purpose, alongside Peshawar. The U-2 spy plane shot down over the Soviet Union in 1960, which led to the capture of the U.S. pilot Gary Powers and subsequent crisis in U.S.-Soviet relations, had taken off from Peshawar.⁴⁰

As the idea of military support for Pakistan became increasingly acceptable to U.S. policymakers in late 1953, interest in Pakistan's aerial facilities also increased. An April 1954 RAND report, *Selection and Use of Strategic Bases* included Pakistan in its list of possible locations for air bases for U.S. strategic (that is, nuclear weapons) use over the coming six years.⁴¹ There was also concern with the growing reach of Soviet bombers: one strategic report highlighted Karachi airport and Pakistani military airfields as now being under Soviet threat.⁴² There were press reports of U.S. interest in Pakistani air bases. Military analyst Hanson Baldwin speculated in the *New York Times* in late 1953 that Pakistan was to receive military aid because of its strategically located air bases which would 'make more vulnerable to attack Soviet positions in Southwestern Asia.' China and the Soviet Union formally objected to a military aid-for-air-bases deal, and there were public demonstrations against this supposed deal in India.⁴³

There was no aid-for-air-base deal. Nevertheless the 1954 Mutual Aid package did include a small but not inconsequential amount for the improvement of military air fields: one Senate report noted that USD 1 million was earmarked for the 'improvement and expansion' of Pakistani aviation facilities for 1955.⁴⁴ This and subsequent amounts would not only be of use to the Pakistani military but to the United States as well. This use could potentially extend much beyond the U-2, and along the lines envisaged in earlier U.S. planning. One July 1959 interagency study highlighting Pakistan's military value to the United States noted that Pakistani airfields and other military installations 'constructed with U.S. assistance and to U.S. specifications' were of 'potential value to U.S. strategic air

³⁹ Kux, *The United States and Pakistan*, pp. 83-85, 91-92; McMahon, *The Cold War on the Periphery*, p. 208.

⁴⁰ McMahon, *The Cold War on the Periphery*, p. 267; Polmar, *Spyplane*, pp. 108-110, 154. On Badaber see also: 'Airgram A-550 from the Embassy in Pakistan to the Department of State, October 6, 1969'.

⁴¹ Wohlstetter et al., *Selection and Use of Strategic Air Bases*, p. 40.

⁴² 'U.S. Studies Middle East Airlines'.

⁴³ McMahon, *The Cold War on the Periphery*, p. 173-75.

⁴⁴ *Mutual Security Appropriations for 1956*, p. 669. Military aid for Pakistani air force facilities and infrastructure would increase over the next few years; key project work included the development of airfields at Karachi, Sargodha, and Peshawar: Grathwol and Moorhus, *Bricks, Sand, and Marble*, pp. 96-104.

operations in the event of hostilities'.⁴⁵

By 1954 there was interest too in helping Pakistan develop its civilian aerial infrastructure. By that time the U.S.'s development of national civil aviation networks and facilities in the near east had already shifted much beyond Saudi Arabia. TWA was managing Ethiopian Airlines as well as Saudi Arabian Airlines, Pan American was assisting Middle East Airlines, and California-based Trans-Ocean Air Lines was involved with the management of Iranian Airways and Air Jordan. There was however some dissatisfaction with the lack of a co-ordinated U.S. policy for civil aviation in the region: later that year the Civil Air Attaché for the Middle East would claim that 'a regional rather than country-by-country program seems essential' to overcome the structural economic and regulatory problems that bogged civil aviation development in the region.⁴⁶ In mid-1954 the Foreign Operations Administration commissioned civil aviation industry experts to prepare a more systematic approach to U.S. aid in the region (including in particular Pakistan). 'Our purpose is to build up these local carriers', noted the lead consultant in an interview with *Aviation Week* magazine, 'for it has been realized that in order to contain communism we must also build up the standard of living of the people.' The consultants mostly had experience working for U.S. airlines abroad, and were to apply their experience to the near east. The lead consultant was a retired rear admiral and former President and general manager at United's Mexican subsidiary. He was assisted by a former vice president of American airlines in Mexico, an economist also formerly employed by United's Mexican subsidiary, and a fourth consultant who had been a pilot for Overseas National Airways during the Korean airlift, as well as for China Airways and Pan American. The lead consultant noted that one successful model of assistance that the consultants would look to apply to the near east would be TWA's management of Ethiopian Airlines.⁴⁷

Aid for Pakistan's civil aviation infrastructure was now possible because military assistance had opened the doors for a vastly expanded program of non-military aid. Non-military aid had already begun on a small scale in 1951 as part of Truman's new 'Point Four' assistance program. Named after point four of his 1949 inaugural address, the program was authorized by the 1950 Act for International Development, and sought to provide technical aid and investment for economic uplift and prosperity. A somewhat enlarged program was initiated in 1952 as part of the Mutual Security Program under the authority of the Mutual Security Act of 1951. This aid was expanded greatly once Pakistan became eligible for military assistance in 1954. In addition to military aid Pakistan was now eligible for additional 'substantial defense support designed to maintain economic stability and strengthen defense capabilities'. Moreover, as a later report by the Comptroller General noted, Pakistan's status as a military ally now changed the tenor of the non-military aid program. After 1954 the 'nature and direction of United States aid were increasingly determined by military and foreign policy objectives. Since fiscal year 1955, the program has been designed primarily to sustain and expand the country's economy as a means of maintaining political stability and strengthening military defenses in the area, thereby contributing to the security of the United States and its allies.'⁴⁸ In June 1954

⁴⁵ McMahon, *The Cold War on the Periphery*, p. 267.

⁴⁶ 'Memorandum by the Civil Air Attaché for the Middle East (Thayer) to the Officer in Charge of Lebanon-Syria Affairs (Allen)'. Also: Williams, 'Commercial Aviation in Arab States'; Geiger, *TWA's Services to Ethiopia*; Oqubay and Tesfachew, 'The Journey of Ethiopian Airlines'.

⁴⁷ 'U.S. Studies Middle East Airlines'.

⁴⁸ Macekura, 'The Point Four Program and U.S. International Development Policy'; Shenin, *The United States and the Third World*; Afroz, 'American Economic Aid to Pakistan, 1947-1960'; Comptroller General of the United States, *Examination of Economic and Technical Assistance Program for Pakistan*, pp. 2-3, 17, 18.

Stassen met the Pakistan Foreign Minister Zafrulla Khan and the Pakistani ambassador in Washington and informed them that the U.S. was 'prepared to extend technical assistance to Pakistan on civil aviation, for development not only of technicians but of Pakistani civil air management as well.' He emphasized that this aid was to help the country develop civil aviation both within each wing and, to the delight of the Ambassador, between them too.⁴⁹

Pakistan received sizeable amounts of aid through the International Cooperation Administration (ICA) of the Department of State (and its predecessor, the Foreign Operations Administration (FOA)) in the fifties and into the sixties. Between 1952 and 1958 the ICA and the FOA obligated funds of USD 406.9 million of aid to Pakistan. This included USD 148.76 million for development projects, the rest being for commodity imports, famine and flood relief, and a small amount for the administration of these funds.⁵⁰ The development aid was allocated to around a hundred projects in agriculture, industry, and transportation, and made the United States the single largest donor to Pakistan in the fifties. Aviation received the highest proportion of the USD 24.24 million allocated to transport projects in the period 1952 to 1958: USD 3.99 million for 'improvement and expansion of aviation ground facilities', USD 3.07 million for the 'development of civil air transportation', and USD 0.262 million for 'aircraft overhaul and maintenance'.⁵¹

This aerial aid continued into the early 1960s, and was part of a broadened program of aerial aid to strategically located Cold War allies. Over 40 countries received such aid between 1956 and 1961, but only 12 countries accounted for 85% of this aid, with the four largest recipients being Afghanistan, Ethiopia, Chile, and Pakistan.⁵² The Pakistani portion of the aid between 1956 and 1961 totalled USD 27.663 million in the form of U.S. Dollar loans and grants, and a USD 2.96 million loan in Pakistani Rupees. Pakistan received 9.6% of the total U.S. Dollar aerial aid allocated over this period by the United States. It was this aid which helped PIA to build up its maintenance and technical capabilities, update its airports, and, ultimately to become the first Asian airline to fly a commercial jet aeroplane. This amount was split as follows: USD 3.654 million was provided as a contract to Pan American for 'training of PIA in jet operations and maintenance and for purchase of jet aircraft', with an agreement between PIA and Pan American being signed in May 1955. A further USD 4.709 million was administered by the U.S. Federal Aviation Administration to 'provide aeronautical ground aids and air traffic control services, including training and system planning.' This included the installation of and training for VOR short-range radio navigation systems at two airports, including Karachi. The Development Loan Fund handed out USD 3.915 million in U.S. Dollar denominated loans and USD 2.96 million Pakistani Rupee loans for the 'modernization of Karachi International Airport to accommodate jet traffic' (USD 4.8 million of which was for the refurbishment and extension of Karachi's airstrip and tarmac to accommodate jet aircraft). Lastly the Import-Export Bank provided USD 15.385 million in loans for the purchase of Lockheed Super-Constellation and Boeing jet airliners. The only countries to receive more funds were Brazil (USD 51.5 million, of which over USD 49.9 million were loans for the purchase of 19 aircraft from Lockheed, Douglas, Convair, and Boeing), Afghanistan (a total of over USD 45.4 million, of which over USD 40 million was to Pan American for the management and development of Ariana

⁴⁹ 'Memorandum of Conversation, by the Officer in Charge, Economic Affairs, Office of South Asian Affairs (Fluker)'.

⁵⁰ Comptroller General of the United States, *Examination of Economic and Technical Assistance Program for Pakistan*, p. 18, 73.

⁵¹ Ibid, p. 77. On total aid to Pakistan see: Brecher and Abbas, *Foreign Aid and Industrial Development in Pakistan*, pp. 24-26.

⁵² Heymann, Jr., *Civil Aviation and U.S. Foreign Aid*, p. 9

Afghan Airlines, construction of Kandahar airport, and other improvements to the country's air network), and Ethiopia (a total of over USD 34.7 million, of which USD 23.35 million was earmarked for the construction and improvement of 4 major and 22 minor airports and facilities and jet spare parts, and USD 10 million for the purchase of two Boeing jet airliners).⁵³

The actual work on the ground, it has to be said, often fell far behind that envisaged by the aid schedules. A 1959 report on obligated versus spent aid found that between 1952 and 1958 only 45% of the obligated aid for the improvement and expansion of aviation ground facilities was spent, 94% of aid for aircraft overhaul and maintenance was spent, and only 64% of other aid earmarked for the development of civil aviation was spent. This failure to spend the allocated funds was part of wider issues with the aid program to Pakistan, and was due, the report concluded, to technical and administrative limits to aid absorption, and the aid effort being dispersed over too wide a range of projects.⁵⁴

IV Conclusion

This paper has been a preliminary examination of U.S. funding for Pakistani civil aviation in the late forties and 1950s. It has suggested that civil aviation in Pakistan was supported and funded by the United States not only for commercial purposes, but also because Pakistani aerial facilities could be, it was thought, of use in a war with the Soviet Union. West Pakistan's location at the edge of the Middle East and just south of the Soviet border made it a promising launching pad for aerial operations, including nuclear weapons, both northwards and westwards. Karachi's location facing the Indian Ocean, meanwhile, kept it safe from Soviet naval attack. Although U.S. policymakers were aware of the limitations of using Pakistan in this way, this paper has suggested that they were nevertheless willing to spend funds building up aerial networks for their key Asian allies, including Pakistan, in the early 50s. The desirability of Pakistani air bases was boosted by the Korean War and the rise of radical Arab nationalism in the Middle East. On the other hand, British and U.S. concerns over upsetting Indian sentiments limited U.S. aid to Pakistan. The aid provided was likely crucial for the creation of Pakistan International Airways. This paper has suggested that without this aid, and the military and geopolitical sentiments that lay behind it, it is unlikely that the Pakistani state would have been able to purchase and maintain the Lockheed Super Constellation which formed the long-distance foundation of the national airline from 1955 onwards.

More broadly, this paper has suggested that the growth of international civil aviation in Asia was at least partially driven by the United States and its geopolitical and commercial concerns. The need to win and keep allies in Asia led the U.S. to meet Asian states' demands for aid for their civilian aviation networks. But these networks may also have been of use to the U.S. itself. Well-equipped airports could be used by U.S. airlines and even the U.S. military for logistical and offensive purposes. The deepening Cold War and flashpoints such as the Korean War and the Suez Crisis played an important role in driving

⁵³ Heymann, Jr., *Civil Aviation and U.S. Foreign Aid*, p. 6-8. *Hearings Before the Subcommittee for Review of the Mutual Security Programs of the Committee on Foreign Affairs*, p. 236; *The Sixteenth Semiannual Report on the Operation of the Mutual Security Program*, p.46.

⁵⁴ Comptroller General of the United States, *Examination of Economic and Technical Assistance Program for Pakistan*, pp. 1, 77. In hearings before Congress in 1958, the Civil Aeronautics Administration officer who was former head of the U.S. Civil Aviation Assistance Technical Group for Pakistan explained the issues faced by the Group is getting its project off the ground: *Hearings Before the Subcommittee for Review of the Mutual Security Programs of the Committee on Foreign Affairs*, pp. 233-248.

U.S. aid to its allies, and so, this paper has suggested, could also have played an important role in building national (and international) civil aviation networks.

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論説

戦前期日本の武器生産問題と武器輸出商社 —泰平組合と昭和通商の役割を中心に—

額額 厚*

Arms Production Problems and Arms Export Companies in Pre-War Japan: The Roles of Taihei Kumiai and Shouwa Tsuushou

By ATSUSHI KOKETSU

This paper involves studies of the Japanese history of arms production problems from the 1920s to the 1940s. Presenting and analysing documents, we consider the purposes for the establishment and expected roles of two arms export companies, Taihei Kumiai and Shouwa Tsuushou, which were placed under the especially strong control of the Japanese Army. Focusing on Shouwa Tsuushou, we verify that the Japanese Army developed policies for arms export and arms support centring on China and Thailand, while international momentum toward disarmament was heightened. In this verification, we clarify the arms production problems of the Japanese Army. We also note that not only Japan but also Western countries advanced in arms export, including Russia, the United Kingdom, France and the United States, were extremely proactive in arms export despite the emphasis on disarmament. Thus, the arms production problems intended to nurture domestic munitions industries and advance military alliances with partner countries through arms export and import. Arms export and import secured multi-tiered economic, diplomatic and military advantages. Therefore, arms production problems could be described as “peacetime war,” and the proliferation of arms through arms production problems was clearly part of the preparation for World War II.

1 はじめに 先行研究と課題設定

戦前期日本の武器輸出の歴史は明治初期から開始されるが¹⁾、本稿では第一次世界大戦（以下、WW I と略す）中から本格的に開始された武器生産や武器輸出入の史的展開を追う。そこでは武器生産と武器輸出入を一括して「武器生産問題」として括り、武器生産の自立化や武器輸出体制の確立過程を、以下のような分析視角から追究することを目的としている。すなわち、WW I を契機に起動した武器生産の民営化の動きを官民合同問題として取りあげ、満州事変（1931年）期から、対英米蘭戦争の開始期（1941年）迄の武器輸

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1) 坂本〔1991〕は、「1901年に三井物産が朝鮮に1万挺の銃と実包100万発を輸出したのが武器輸出の最初である」と記している（27-28頁）。

出入の実態を追いつつ、なかでも武器輸出を主導した日本陸軍の統制下に輸出業務を担った武器輸出商社の泰平組合と昭和通商の役割を検証していく²⁾。

筆者はWW Iにおける戦争形態の総力戦化に触発された日本の軍需工業の拡充が、兵器独立や官民合同（民営化）に結果していったと捉えており、ロシアからの武器注文など外在的要因も手伝って、武器生産問題が特に1920年代に入り、一段と重大な課題としてクローズアップされていったことを念頭に置いている。同年代は軍拡と軍縮が闘争合う時代でもあった。そうした内外情勢に左右もされながら、日本における武器生産問題の変容を具体的に追う手段として、軍需工業動員法の制定による武器生産体制の確立と、それを平時から支える武器輸出専門商社の役割の相互連環性を主要な分析課題としている。

最初に本課題を検討する上で参考となる先行研究を要約紹介する。そこで論じられた問題と、論じられなかった課題を併せて触れておきたい。

（1）先行研究の要約—芥川・坂本・名古屋・柴田論文を中心に—

前期武器輸出の実態について、最も早くに着目し研究の対象として論じたのは芥川哲士の「武器輸出の系譜—泰平組合の誕生まで—」³⁾を始めとする一連の研究であろう。芥川は日本政府が明治初期から武器輸出に強い関心を抱いていたと推測しつつ、当初は清国を対象に不要兵器の輸出で実績を積み、軍工廠創設以後は兵器生産技術の向上に伴い、日清・日露戦争を経由し、WW I中にロシアからの武器輸出要請に対応すべく軍工廠の拡充を行ってきた経緯を克明に追った。その後、芥川は「武器輸出の系譜」を一貫したタイトルとし、武器輸出の史的解明に重要な足跡を残した。

芥川の論文のなかで、特に「武器輸出の系譜（承前）—第一次大戦期の武器輸出—」⁴⁾の分析と史料紹介を受けつつ、日本資本主義の軍事的性格を精緻に分析した坂本雅子の「第一次世界大戦期の対ヨーロッパ資本輸出と武器輸出（上・下）」⁵⁾がある。坂本は、WW I開始の翌年の1915年に日本は1億円に達する武器輸出を行った史実を指摘した⁶⁾。特に日本陸軍がWW I中の4年間にロシアだけでも総額1億8000万円程度の武器輸出の実績

2) 戦前期日本における武器輸出商社は泰平組合や昭和通商だけに収斂されるのではなく、この二つの商社に大方が包摂されはしたが、三井物産や大倉商事、高田商会、安宅商会、鈴木商店、森岡商店、岸本商店なども広義における武器輸出商社と位置付けられる。これらについては、中川〔1994〕等参照。

3) 芥川〔1985〕。

4) 芥川〔1987〕。

5) 坂本〔1991〕；坂本〔1992〕。なお、坂本はこれらの論文を含め、坂本〔2003〕として単行本化している。

6) 坂本〔1991〕24頁。因みに、坂本は日本の武器輸出が日清戦争期（1894-95）から開始されたとし、日露戦争以後には相当活発となっていたとしている。具体的には、「1901年には三井物産が、朝鮮に対して1万挺の銃と実弾100万発を輸出したのが武器輸出の最初である」（坂本〔1991〕27-28頁）としている。

を持ち、同国への武器輸出が日本の武器輸出総額の95%に達したとしている。

日本海軍も同様にイギリス、フランス、ロシア三国合計で、9000万円程の武器輸出を行ったとする。日本陸海軍及び山県有朋に代表される日本政府の指導層は、日英同盟に替わる「日露同盟」の締結の可能性をも見出すべく、ロシアへの武器輸出・武器支援に極めて積極的であったことを論証した。また、坂本論文は、「第一大戦期の武器輸出も、こうした軍工廠の経営維持と対外政策という二側面から、実行されたことは確かであった」⁷⁾と重要な指摘をしている。この二側面は、武器輸出・武器移転問題を論証する上で重要な検討課題であり、本稿もその側面を強調する。精緻を極めた経済史的アプローチを基軸にすえつつ、当該期の政治過程をも射程に据えて武器輸出も実態に迫っている。

しかし、WW I 中から日本で取り組まれた軍需工業動員法などの法整備による軍工廠での武器生産の限界性を克服する政策が、強力に推進された事実への言及は殆どない。軍需工業動員法や軍用自動車補助法などは、まさに坂本の指摘する二側面を補完する重要な政策であったはずである。この点について本稿で触れて行く。

次に名古屋貢の「泰平組合の武器輸出」⁸⁾がある。名古屋論文は、芥川哲士論文が言及していないWW I 以降の活動から、解散するまでの泰平組合の実態解明に取り組んでおり、その点で名古屋論文は重要な繋ぎ手役の位置にある。また、なぜに武器輸出商社として泰平組合が創設されたかについては、「陸軍の利点は、何か不祥事があった場合にも、自らは手を汚さなくてもすむ組織として組合があったことである。もともと兵器輸出は政治的色彩が強いため、日本の立場が問題となった場合、直接矢面に立たなくてもすむための方便であった」⁹⁾と指摘する。名古屋は同論文の「終りに」で、泰平組合が解散に追い込まれた理由として、欧米武器輸出国の武器水準に追従できなかったこと、「対支武器輸出禁止協定」が成立したこと、武器輸出対象として注目していた満州国軍輸出から排除されたこと、の三点を挙げている¹⁰⁾。

そして、本稿の論述にあたり最も参考としたのが柴田善雅の「陸軍軍命商社の活動—昭和通商株式会社覚書—」¹¹⁾である。柴田論文は泰平組合の解散理由を、「日中戦争期の中国占領地への兵器輸出を主たる目的として、陸軍省は昭和通商設置に向かうため、既存の泰平組合の廃止を決定した」¹²⁾とする。さらに、昭和通商設立の理由として、「軍配組合は兵

7) 坂本 [1992] 17頁。

8) 名古屋 [2006]。

9) 名古屋 [2006] 8頁。

10) 名古屋 [2006] 15頁

11) 柴田 [2004]。

12) 柴田 [2004] 2頁。

器を扱わず、そのほか兵器を取扱う占領地の物資統制組合は設置されないため陸軍の占領地政策の中で、兵器売却を行うための守秘義務を負わせた商社の設立が要と判断された¹³⁾とする。柴田論文は昭和通商が泰平組合と比較できないほど広範な地域や諸外国と武器輸出に限定されず貿易を行っていたこと、その意味では軍命商社である昭和通商は、武器以外にも穀物から阿片に至るまで、単に武器輸出専門商社とだけは言い切れない側面を持っていたことを実証している。

同時に、「昭和通商は陸軍省の兵器の対中国輸出のみならず、欧州で調達した兵器の中国占領地の傀儡政権への売却にも関わった。これは泰平組合にみられない昭和通商の従来の兵器取扱いの大幅な業務範囲の拡張といえる¹⁴⁾」とし、言うならば、陸軍という強力なバックを得て事業展開した総合商社的な側面を指摘している。また、中国の軍事占領地においては、例えば「蒙疆における兵器等の取引は陸軍省の支援を受けた昭和通商に限定される¹⁵⁾」としたように、陸軍と歩をひとつにした独占的な位置を占め続けたと言う。昭和通商が如何に強力な組織であったかは、確かに、中支那軍票交換用物資配給組合（通称、軍配組合）との間で穀物調達業務において競合した折に、最終的には昭和通商に有利に展開していたことから知れる¹⁶⁾。

このように柴田論文は昭和通商が中国の軍事占領行政地における経済活動一般にも深く関与していたこと、また、武器輸出対象地域としてもヨーロッパだけでなく南米方面にも店舗を開設し、まさに国際的な商社としても再定義した点は頗る注目される。ただ、柴田論文は昭和通商が武器輸出商社としての役割に注目するあまり、武器輸入の実態については殆ど注目していない。柴田論文の目的外かも知れないが、武器生産問題全体を射程に据えるためには、武器の輸出入の実態と促進理由、その担い手を総合的に捉える視点も必要であろう。

その点を本稿の一つの課題として論じる。

13) 柴田 [2004] 3頁。

14) 柴田 [2004] 7頁。

15) 柴田 [2004] 8頁。

16) 軍配組合は昭和通商と競合する事業にも参入した強力な組織であるが、最終的には昭和通商の後塵を拝したのは事実であった。軍配組合についての研究は多くないが、ここでは小林 [2012] の「第三章 日本の中国占領地経営と企業 第二節 軍票工作と軍配組合」（83－94頁）を挙げておく。なお柴田論文では昭和通商の圧倒的な支配権を強調するが、蒙疆政権への兵器供給で決定的な役割を果たした大蒙会社の役割を無視してはならない。これに関連して、森久男は、「（大蒙会社が）蒙疆政権に対する兵器供給、塩務統制、各種重要物資の流通統制等の他者がまねのできない分野で、なお大きな役割を果たすことができた」（森 [2009] 67頁）と指摘している。森の指摘は、特に中国においては昭和通商と拮抗する恰好で大蒙公司をはじめ、幾つかの商社が兵器供給（武器輸出）に動いた可能性を示唆しているが、これも今後の調査課題となろう。

芥川論文から坂本論文、そして名古屋論文を挟んで柴田論文を一貫して読み通すと、日清戦争期から日本敗戦期までの武器輸入は別としても、武器輸出の実態と背景を把握できることになる。このように本稿は芥川・坂本・名古屋・柴田論文に多くを学びながら、以下の視角から改めて武器生産問題絡む課題に迫ろうとするものである¹⁷⁾。

（2）問題の所在と課題の設定

本稿が対象とする時期は、特にWW I 開始以降（1914年—）だが、日本陸軍は、日露戦争を通して飛躍的な砲弾の消耗に悩まされ続け、その後も日露再戦の可能性が取沙汰されるなか、所謂砲弾備蓄問題として強く意識するところとなった。その過程で問い直されたのは、平時における武器生産体制の拡充であった。事実、当該期日本の軍需生産・調達能力の不充分性は明らかであった¹⁸⁾。

そのために日本陸海軍は、WW I 以後、既存の軍工廠に加え、民間企業に対して武器生産の委託を法的に担保する軍需工業動員法（1917年4月17日制定・法律第38号）や軍用自動車補助法（1918年3月25日制定・法律第15号）等により、軍需工業の裾野を広げる方針を打ち出すことになった。直接の契機は、後述するように大戦中のロシアからの武器注文であったが、これを教訓に民間企業に武器生産を恒常的に委託し、安定的な武器生産の実績を担保する武器輸出体制の構築が検討される。そこから中国やタイなど、近隣アジア諸国への武器輸出政策が検討されることになった。

武器生産問題は軍事や経済の領域に限定されず、輸出対象国との武器を媒体とする友好あるいは同盟関係の促進という政治・外交の領域にも深く関わる課題としてあった。例えば、「日中軍事協定」の締結による武器輸出を媒介とした同盟関係の構築は、その象徴事例である。その全体を一括して捉える方向性のなかで、武器生産問題を見ておくべきであろう。本稿は、そうした研究視角を前提としながら、武器輸出を推進した泰平組合と昭和通商という二つの武器輸出専門商社の実態について、史料を読み解きながら、その役割と位置を検証していく。そこでは、次の点を本稿独自の課題としておきたい。

第一に、日露戦争以後WW I を挟んで、1920年代の中国という武器輸出市場に向けて、

17) 本稿と直接的に関わる論考ではないが、陸軍造兵廠における武器生産の実態についての最も詳細な研究成果としては、佐藤〔1989-1992〕と山崎〔1994〕などが先駆的研究としても挙げられる。

18) 日露戦争当時における日本の軍需生産体制レベルについて、大江〔1976〕は「戦争の性格の、変化に対応するためには、日本資本主義の技術的基盤はすこぶるせまいものであった。技術的には精密機械工業に属する火器を中心とする兵器弾薬の生産は、陸軍では東京、大阪の二砲兵工廠、海軍では各海軍工廠造兵部および東京の海軍造兵廠がこれにあたり、民間機械工業はこれまで関与することがなかった。」（401頁）と述べている。

文字通り官民合同のスローガンの下、軍需産業の民営化が急がれた。恐らく武器輸出市場の拡大のなかで、陸軍は政治的かつ軍事的な観点から、武器輸出に強い関心を示しつつ、その一方で武器輸出という特殊性から、民間企業に全面委任することは困難と考えていた。それゆえに、武器輸出専門商社として、泰平組合や昭和通商を、その統制下に運用させた。そのことが可能となるためには、官民合同による軍需産業の民営化と同時に、そうした全体を包括する概念として、総力戦思想の普及を必要としたのである。本稿は、この点を特に強調していく。

従来の武器輸出の実態研究では、武器輸出自体を目的化する傾向が強く、その根底にある武器生産体制の充実による総力戦体制の構築という政治過程への踏み込みが弱かった。本稿は、武器輸出問題という個別具体的な課題を総力戦体制構築を基底に据えた武器生産問題として、より包括的に捉える視点を打ち出している。

そこでは特に武器輸出商社が日本陸軍の統制下に創設された根本の背景として、WW I を契機とする戦争形態の変容、即ち内閣戦争から総力戦争への変容過程で、日本陸軍が武器生産と武器輸出入への関心を増大させていく実態を追う。同時に日本国内で武器生産の裾野を広げるために実施された軍需工業動員法制定の動きを踏まえつつ、武器生産への取り組みの実態を整理する。武器生産への関心を増大させ、それに迅速に対応することに腐心した日本陸軍は、民営企業との間に対立と妥協を繰り返しながらも、軍需工業の民営化に成功していく。ここでは軍需工業の民営化に積極的に動いた経営者などの発言から、当該期における武器生産と兵器独立に如何なる思惑が存在していたかを検証していく。これらの諸点は、先行研究では殆ど触れられていない。

第二に、第一で追った軍需工業動員体制確立前後における日本の武器輸出政策の実行組織として創立された泰平組合及び昭和通商が創設された背景について論述する。先行研究で多面的に論じられているが、そこで殆ど言及されなかった課題がある。それをキーワードで示せば、兵器独立・官民合同・総力戦体制である。そして現実の政策に兵器生産や武器輸出を担保する法整備として軍用自動車補助法や軍需工業動員法の制定がある。本稿では特に後者について言及する。同法が明治初期から開始された武器輸出と、武器生産の不充分性を克服するため、必要不可欠な法整備として位置づけられたことを強調していく。

第三に、1930年代初頭の武器輸入の実態を論じていく。特にイギリスとの武器貿易は日本海軍が担うことになるが、満州事変により武器輸入が頓挫していくことは、武器技術の向上を構想していた海軍として極めて痛手であった。海軍統制下の武器輸入商社が介在していた可能性もあるが、海軍は仲介者の存在を認めない発言を行っている。俄かには信

用し難いが、本稿で引用紹介する。

本稿は、全体としては泰平組合と昭和通商が担った武器輸出に軸足を置きつつも、武器輸出入史の総体を武器生産問題として捉える観点から、軍事史的かつ政治史的なアプローチにより課題に迫ろうとするものである¹⁹⁾。なお、引用史料については旧漢字を常用漢字に修正し、適宜句読点を付して読み易くしている。

2 武器輸出への関心増大の背景

(1) ロシアからの武器輸出要請

1914（大正3）年7月28日から開始されたWW I は、それまでの戦争形態を一変させるほどの莫大な武器弾薬を必要とし、文字通り国家の総力により勝敗の帰趨が決定される総力戦として戦われた。潜水艦・航空機・戦車・毒ガス等の近代兵器が戦場に次々と登場し、陸上や海上だけでなく空中と海中にまで戦場域が広がっていった。

先行研究の要約で紹介したように、日本陸軍が武器輸出に関心を抱いたのは、既に明治初期からとする芥川論文は、その後WW I 下においてロシアからの膨大な武器輸入の要請を受け、日本が十分に対応できなかった事実を明らかにした。武器輸出の絶好の機会を十分に活かし切れなかった課題が、1917年制定の軍需工業動員法に繋がっていったと推測される²⁰⁾。

ところで、第二次大隈重信内閣（1914年4月16日成立）は、WW I 勃発直後から大蔵省を中心にして参戦諸国の政治経済体制の調査を実施していた。同時に大隈内閣は参戦諸国からの軍需品の膨大な注文に充分対応しきれない状況が顕在化するにつれ、日本経済の重化学工業化促進の経済政策を打ち出す²¹⁾。すなわち、日本経済の重化学工業化策の一環として、化学工業調査会（1914年11月）、経済調査会（1916年4月）、製鉄業調査会（同年5月）などの相次ぐ設置や、染料医薬品製造奨励法（1915年3月）などの制定は、その具体策であった。

1916（大正5）年4月29日、重化学工業化策の一環として、大隈首相は経済調査会第一

19) 武器・兵器・装備など多様な名称が混在するなか、本稿では個別的な物理装置の意味で原則として「武器」の用語を使用する。また、繰り返す必要もないかもしれないが、本稿における「武器移転」とは、「国家やそのほかの国際行為体の領域を越えて、武器や武器技術にかかわる所有権・使用権が移転する諸現象全般」を示し、「武器輸出」は「直接戦闘の用に供する装備品である武器を海外に売却すること」（川田・大島 [1993] 553-554頁）を示す用語として用いることにする。本稿において特にタイへの武器輸出の実態に触れているが、それは事実上「武器支援」「武器援助」と同義語として扱っている。

20) 第一次大戦期における日本の対ロシア武器輸出に関しては、パールイシュフ [2011, 2012] など参照。

21) 「欧州列国の財政経済及社会上の現状調査に関する件」（『公文雑纂』〔国立公文書館〕大正5年、帝国議会2巻24）を参照。

回総会で、次のような訓示を行なっている。すなわち、「此欧州大乱に因て日本の受けた利益は随分大なるものである。其中最も大なるものは軍需品の注文であります。日本に製造力さえあれば、或は容易く原料品を得る事さへ出来れば、今日の三倍でも五倍でも供給する事が出来るのであります。（中略）此の軍需品の供給は実に大なる利を得るものである」²²⁾と。ここにおいて、大隈首相は重化学工業化促進の理由を、大量の軍需品注文に耐え得る経済構造への質的転換に求めたのであり、そのためには「官民相俟つて戦後の日本の産業の発展、経済の発展を図りたいと希ふ次第であります」²³⁾と結んでいた。

それでこの間の経緯を記せば、総力戦状況のなかで、自国の兵器生産だけでは戦争継続が不可能となっていたロシアを筆頭に、ヨーロッパの参戦諸国は、日本に武器輸出を要請するに至っていた。これに応えるため、日本政府は東京と大阪の砲兵工廠の生産力増加のため、運転資本の増加を帝国議会で提案していた。いわゆる、「東京砲兵工廠大阪歩兵工廠ノ据置運転資本増加ニ関スル法律案」である。

1915（大正4）年12月22日、その趣旨説明に担った当時の陸軍大臣岡市之助は、「今回ノ欧羅巴ノ戦乱ノ需要ニ対シテハ、其需要ト言フモノハ非常ナモノデ、ソレデ日本ニ注文シテ参リマス注文トモ、吾々が夢ダニモ考ヘテ居ラナカタヤウナ数量デゴザイマス。サテ此ノ沢山の需要ヲ充シ得ルカト云フト、是ハ決シテ充シ得ルコトハ出来マセヌ」²⁴⁾と現実を赤裸々に述べていた。取り分けロシアからの武器注文は膨大であり、その受注量は当該期日本の武器生産能力を遥かに超えるものであった²⁵⁾。因みに、大戦中における対ロシア輸出総額は、実に1億8961万に達していたのである²⁶⁾。

一方、海軍も武器輸出を当該期に活発に行っていた。これに関連して、1917（大正6）3月4日、第40回衆議院決算委員会の場で古屋久綱議員から、「海軍ハ総高ドレ丈ヲ連合国ニ御売渡シニナツタノデアリマスカ」との質問に、当時海軍省経理局長であった志佐勝は、「海軍省ニ於テ与国ニ譲渡シマシタル所ノ兵器ノ価格ハ二千六百万円ニナツテ居リマ

22) 通商産業省編『商工政策史』第4巻、1961年、141頁。

23) 通商産業省編『商工政策史』第4巻、144頁。

24) 国立国会図書館蔵『帝国議会議録』（「第37回帝国議会議院 第五類第一号 東京砲兵工廠大阪歩兵工廠ノ据置運転資本増加ニ関スル法律案委員會議録 第2回 大正4年12月22日、9頁」）。

25) 芥川[1987]によれば、大戦中における日本の英仏露三国への武器輸出には、武器売却・武器受託製造・武器無償贈与の三パターンがあり、売却代価1,124万円、製造費代金合計3,976万円、武器無償贈与約108万5000円相当に達したとしている（33頁）。さらに、1917（大正6）年11月から1918（大正7）年11月までの約1年間の対中国向け武器輸出の実態は、合計1,700万円に達していた（芥川[1987] 71頁）。

26) 陸軍大臣大島健一は、1918（大正7）年3月4日開催の衆議院決算委員会の場で柏原文太郎議員の質問に、「（対ロシアへの武器輸出額が）一億八千万円許リノモノデ、大正三年ノ十二月ノ二十三日ガ始メテ見エマス、ソレカラ四年、此ノ二年間ハ一億五百万円余ニナツテ居リマス、ソレデ五年六年ヲ併セテ先程申上ゲマシター一億八千九百六十一万円ト云フモノニナリマス」と答弁している（国立国会図書館蔵『帝国議会議録』（「第40回帝国議会議院 第二類第一号 決算委員會議録 第六回 大正七年三月四日、48頁」））。

ス」と答え、併せて「海軍省ト与国ノ関係ニ於テ授受ヲ致シテ、其ノ間ニ仲介者ヲ挿シテ居リマセヌ」（傍点引用者）²⁷⁾とも発言している。2600万円は相当な額だが、陸軍における泰平組合のような武器輸出商社は介在していないことを仄めかしている。しかも、その売渡代金は陸軍と異なり、国庫に納めているとしていた。

ロシアからの武器注文に象徴されるように、WW I で明らかとなった総力戦に備えるためには、国内軍需工業の充実、ヨーロッパの主戦場に派遣された参戦武官からも強く要請されるに至っていた。それで軍需工業動員体制構築の要請は、軍部にとって緊急検討課題となった。WW I は、それまでの戦争形態を遥かに凌駕する戦争資源を必要とした。参戦諸国は、これを総力戦という戦争形態の本格的開始期と捉え、総力戦認識の徹底と総力戦体制構築に取り組み始めていた²⁸⁾。日本もその一環として、国内外の武器注文に対応可能な軍需工業の民営化をも含め、法整備を急ぐことになったのである²⁹⁾。

軍需工業動員体制とは、従来の軍工廠を中心とする生産・補給体制と現存物資および人員徴発・徴用を目的とした徴発令（1882年8月制定）体制に加え、平戦両時にわたり、大量の軍需品生産を可能とする工業動員体制の確立を基本的要件とするものであった。それで軍需工業動員体制構築の担い手は、単に陸・海軍や財界に留まらず、官僚・政党・学界等の諸勢力全体となるはずであった。その意味でWW I は、軍需工業の拡充や戦後の経済経営の在り様まで、大きな影響力を与えることになった。そこでは政府・財界・官僚・政党などが一丸となり、来るべき将来の総力戦に備えることが共通課題として強く意識されることになったのである。

より具体的に言えば、航空機・潜水艦・戦車・毒ガスなど近代兵器の登場や膨大な弾薬や燃料の消耗などは、国内工業の重化学工業化へと向かわせたことである。しかし、財界は最初から軍需工業の拡充に積極的でもなかった。将来、重化学工業部門で欧米と競い

27) 『帝国議会議録』（「第40回帝国議会議院 第二類第一号 決算委員会議録 第六回 大正七年三月四日、49頁。

28) 額田は長年総力戦体制研究に取り組んできたが、その最初は額田 [1991] であり、その後社会評論社から2010年に復刻版、2018年に同社から再復刻版を出版している。また、戦前期日本における総力戦体制構築の政治過程については、Koketsu [2017] として発表している。

29) 陸軍大臣岡市之助は、第37回帝国議会議院での「東京砲兵工廠大阪歩兵工廠ノ据置運転資本増加ニ関スル法律案委員会」での民間での兵器製造を緩和化する方向での陸軍の取り組みについて問われた岡陸軍大臣は、「兵器ノ製造ト云フコトニ付テハ、政府ハ別段禁止ハシテ居リマセヌ（中略）。兵器ノ製造ニ付テハ別ニソラ等ヲ禁止スル的ノ法律ハゴザイマセヌ、ソレデゴザイマスカラ、事実ニ於テヤリ得ル人ガアレバヤッタノデアリマセウ、今日マデモ又将来ヤルト云フコトニ付テハ、先刻御話シマシタガ、尚爾後ノ事ニ付テハ、実ハ会議ヲシテオリマス」（国立国会図書館蔵『帝国議会議録』（「第37回帝国議会議院 第五類第一号 東京砲兵工廠大阪歩兵工廠ノ据置運転資本増加ニ関スル法律案委員会議録 第2回 大正4年12月22日、9頁）と述べ、軍需工業の民間委託への準備を陸軍内で進めていることを仄めかしていた。

つつ、アジア市場に進出する思惑を秘めていた財界ではあったが、それによって如何なる利益が確保可能かは、必ずしも確たる成算があったわけではなかったからである。

陸・海軍と財界は、その過程で軍需工業動員政策をめぐり、競合・対立の様相を呈しながらも、総力戦段階に対応する軍需工業動員体制の構築を共有可能な達成目標としていった。そして、最終的には陸・海軍との調整が図られ、協調を基軸とする関係に入っていく。それは大戦末期から、軍需工業動員法の制定を一つの頂点として、軍部と財界との間では、相当程度の合意が形成されていたのである。換言すれば、軍需工業動員をめぐり、軍財の双方がそれぞれの思惑を抱きつつも、相互補完的あるいは相互協力的な関係に入らざるを得ない状況となっていたということである³⁰⁾。

総力戦段階における陸軍の緊急課題は、軍需品（砲弾・火薬・兵器・糧秣・衣服等）の大量消費に耐え得る軍需品生産体制を確立することであった。それこそが総力戦での戦勝の必須の条件であることを、陸軍は参戦諸国の戦時経済・政治体制の調査・研究から教訓としていたのである。それで陸軍は、大戦勃発の翌年の1915（大正4）年12月27日、陸軍省内に臨時軍事調査委員会（委員長菅野尚一）を設置し、ヨーロッパ参戦諸国の戦時国内動員体制の調査・研究と日本国内の軍需品生産能力の実態把握に乗り出すことになる³¹⁾。

（2）「兵器独立」と「官民合同」

各種調査機関の成果を踏えた当該期陸軍の軍需工業動員体制構想は、臨時軍事調査委員会作成の『工業動員要綱』にほぼ集約されている。そのなかで「工業動員ノ眼目」として五項目が掲げられたが、その五項目目には、「平戦時ニ互リ完全ナル兵器独立ヲ図ル為、基本原料就中鉄及石炭ノ資源を確保シ、尚官民共同自給策ノ考究及普及」³²⁾ することが肝要だとしている。「兵器独立」に関して、歴代日本の陸海軍は軍艦から小銃に至る迄外国兵器への依存率が高く、一貫して懸案となっていた。完全な「兵器独立国」となるため、必須の条件としての「兵器独立」、すなわち武器生産の自立化は、至極当然とする考えがあったからである。

同時に「兵器独立」による武器生産技術の確保は、軍拡の実現に直結する課題でもあつ

30) 当該期の財界人が積極的に軍財関係の協力を説いた論考は数多く、例えば達堂（ペンネーム）は、「工業動員は我工業家に取りて復た一種の利益を与ふるものである」（達堂 [1918] 411 頁）と記している。その他にも同様の主旨の論考として、富山 [1918]、（日本鉄鋼協会会長）今泉 [1916]、（王子製紙社長）藤原 [1918] などがある。また、財界人以外にも、（農商務省工業課長）蔵川 [1919]、（大蔵大臣）勝田 [1917]、森戸 [1917]、（陸軍少佐）三宅 [1918] などもある。

31) 臨時軍事調査委員会については、瀧澤 [1980] を参照されたい。

32) 臨時軍事調査委員会『臨時軍事調査委員第二年報』〔防衛庁防衛研修所蔵〕大正7年1月20日、267頁。

た。その意味でも工業動員は、日本経済の軍事化、つまり、国防を中軸に居えた経済構造（＝国防経済）への転換を図ること、国防経済の運営は「最高統帥部」の指揮命令による各行政機関の一元的支配の確立及び武器生産の自立化、資源確保を目標とする官民共同自給策の準備等により進められるものであること、軍需品の必要量を概算していくなかで達成が可能であること、などとした。

この構想は陸軍だけでなく、文字通り国家の総力を挙げることによって達成されるものとされていた。それゆえ陸軍は他の諸機関、諸勢力にもこの構想への支持・協力を求め、積極的な動きを見せるのである。陸軍は当面の現実的課題として取り敢えず、軍需品生産能力水準の調査・把握を一層徹底させる目的で、1918（大正7）年1月、臨時軍事調査委員会を設置する。

ところで軍需工業動員体制整備に不可欠な課題として軍需品生産部門の底辺拡大があった。大戦期までの軍需工業は、陸・海軍工廠を主軸とする官営工場を生産拠点としており、民間工場・企業への生産委託は極めて少量であった。その理由には、軍需工業の民間産業・技術の低位水準、兵器製造技術移転の困難さなどが考えられる。しかし、大戦の教訓は、より高度な武器・弾薬の生産技術の国家的規模での発展と、それらの大量生産・大量備蓄の緊要性を示唆していた。陸海軍は官民合同による総力戦体制の重要性を、大戦参加諸国の軍需工業動員の実態調査・研究から十分に認識していたのである。

すなわち、1917（大正6）年3月26日、吉田豊彦大佐は、内閣経済調査課産業第2号提案特別委員会の席上、「軍事上ノ見地ヨリ器械工業ニ対スル希望ニ就テ」と題する講演で、「我国ノ工業ノ現状ヲ觀察スルニ及ビマシテ、我軍事工業ト民間工業トガ如何ナル連繫ヲ確保シタナラバ、克ク国防ト産業トノ調和点、語ヲ換ヘテ言ヒマスレバ、此軍事工業ト民間工業トノ相関点ヲ発見スルコトガ出来ルカ、又軍事上ノ要求ニ如何ニスレバ順応スルコトガ出来ルカト云フコトニ就キマシテハ、官民共ニ全力ヲ傾注シテ、周密ナル研究ヲ遂ゲルコトガ最モ必要ナリト信ズルノデアリマス」³³⁾と述べ、「軍事工業ト民間工業トノ相関点」を求めた。総力戦は兵器の大量生産・大量備蓄を強要する、という認識があったからである。

吉田はこの一年後に、「兵器の製造の困難にして且つ平時と戦時との需要率と云ふものが、平時に於ては想像し得られぬ程夥しきものであるが故に、此に於ては兵器民営化促進を聞くに至ったのである」³⁴⁾と記している。兵器民営化の促進が将来生起するであろう総力戦への対応策であり、日本工業生産能力水準の向上には、平時から民間工場と官営工

33) 『各種調査委員会文書（講演綴）』国立公文書館蔵、第36巻、5頁。

34) 吉田〔1917〕67頁。

場との連携、技術協力、共同開発・研究が必要であることを説いたのであった。

陸軍省兵器局にあった陸軍砲兵少佐鈴木吉一も、同様の見解に立ちつつ、「工業動員ノ第一要義ハ、民間工場ト政府トノ関係ヲ律スルコト、即チ是ナリ」³⁵⁾と吉田とほぼ同様の見解を記していた。広範な軍需工業動員の実施には、民間工場の軍需生産能力向上が必要だとしたのである。その際には、民間工場への政府権限による生産管理・統制・徴発の体制の確立を諸前提とすべきだとした。これは軍需工業動員法に、そのまま反映されることになる。これ以後、同法制定後の主要な課題が、官民合同の実現を目標とする体制整備にあったことを明らかにした見解が目立っていく。

例えば、総力戦段階について、陸軍砲兵中佐佐藤兵三郎は、「兵器ノ一部ヲ平時ヨリ民営ニ附スルガ如キハ最モ緊要時ナルガ、之ガ為メ第一ニ起ルベキ問題ハ、之ガ経営、指導ニ任スル恰好ノ人物ヲ民間ニ得ルコト至難ナル一事ナリ」³⁶⁾と述べ、兵器民営化を実行する際、懸案とされた民間工場における兵器生産技術の低位性克服に向け、陸・海軍から技術者を外向させる処置を提唱した。ここには軍需工業動員実施には、軍財双方の技術協力を不可欠とする考えが明らかにされていたのである。

一方、海軍も官民合同あるいは兵器民営化に、強い関心を持っていた。例えば、海軍機関中将武田秀雄は、「官民相互に胸襟を開き相寄り相信じて、俱に国防の大義に努めざる限り、動員法例如何に完備するも、其の大目的たる妙境に達するものにあらず」³⁷⁾と述べ、官民協力体制づくりを強調していた。同様の観点からする民営化論には、陰山登（工業之大日本社理事）が、「之を開放して民営に移し、之を経営せむる事を要す」³⁸⁾と述べたように、平時における民間兵器生産技術の向上と、生産体制の確立を説く有力者が少なくなかったのである。

官民合同の一環としての兵器民営化への機運は、軍・財に留まらず、製鉄事業拡充の計画立案者として政府委員を務めた学者の間にも根強いものであった。例えば、東京帝国大学工科大学教授（造兵学・第一講座担当）で製鉄業調査委員会委員でもあった大河内正敏は、「兵器の民営ということは、今少しく国民の生命に触れた国家其者の存亡安危に関する真乎国防上の重大問題であるということを悟らねばならぬ」³⁹⁾と述べ、財界人の説いた重化学工業発展の促進を契機とし、兵器民営化の根本要因を国防の充実に置く必要

35) 鈴木 [1918] 18頁。

36) 近藤 [1919] 6頁。この他にも辻村 [1918] は、「挙国一致官民協同を以て、軍需員〔品〕の補給を敏速円滑に遂行すると云ふ精神に基いて居る」(30頁)と同法制定の意図について記している。

37) 武田 [1918] 22頁。

38) 陰山 [1918] 2頁。

39) 大河内 [1916]。

を説いていた。

それは、兵器民営化の目標とその内容は、国防の充実と言う国家的かつ軍事的考慮から規定されるべき性質のものであって、資本家的な利益追求を第一義とするものでない、とする見解であった。通信次官内田嘉吉も、「国民の戦争であるが故に、国民は自ら進んで必要なる軍需品の製造供給に当る責任を負う可きである」⁴⁰⁾と述べて、総力戦段階における国民的課題としても位置づけるべきだとしていた。

以上、軍需工業動員体制構築過程において、軍財間の争点となるべき自給自足問題、資源問題、官民合同問題については、当該期日本の政治経済構造に規定されつつも、いずれも軍財官の間において一致点を見出していく可能性が大きかったのである。軍需工業動員法制定は、実にその法的表現であった⁴¹⁾。そして、時代は若干前後するが、多様な議論を踏まえつつ、軍需工業体制の確立が希求された歴史的背景として、何よりもWW I 前後期からする武器生産と武器輸出への対応が緊急の政策課題となっていた国内外の時代状況にあったのである。

3 第一次世界大戦前後期の武器輸出問題－泰平組合の役割－

(1) 武器輸出への対応

大隈首相が懸念した「軍需品の注文」への対応については、WW I に先立つ日露戦争以後においても同様の状況が既に出現していた。当該期においては、特に辛亥革命前後は、中国が武器輸出市場として着目されており、日本政府も果敢に武器輸出の体制構築に腐心していた。そこで日露戦争終結の3年後にあたる1908（明治41）年6月4日付で、当時の陸軍大臣寺内正毅の命令により、それまで主に中国市場を対象に武器輸出において競合状態にあった合資会社高田商会、合名会社大倉組、合名会社三井物産に命じて合同して泰平組合を設立し、武器輸出事業を担わせることになった。

日露戦争の最中、日本の武器生産は東京・大阪などの軍工廠の規模拡大によって充当してきたが、戦争終結により飽和状態となっていた武器の生産と備蓄を保守し、同時に砲兵工廠の運転資金をも確保する目的で、主に中国やタイを武器輸出市場として位置づけていたのである。

そのことを示すものとして、外務省史料である「泰平組合ニ関スル件」（大正14年4月

40) 内田〔1918〕12頁。

41) 大河内〔1918〕は、軍財双方が協同して軍需品製造に従事し、これを調整統一機関として双方から独立した工務省設置を提言していた（109頁）。

1日 森島)には、「諸外国ニ対スル武器輸出ノ目的ヲ以テ」設立されたと明記している⁴²⁾。そして同組合は、その後大正年間の末までに三次にわたり期限延長が繰り返された。各次の契約は全て陸軍大臣の命令条件に従って締結されたことから、泰平組合は事実上日本陸軍の「御雇組織」そのものであったことが判る。日本の武器輸出事業が日本陸軍の統制下に置かれたのである。

また、同史料には特に第二次契約時、寺内内閣による中国段祺瑞政権への援助政策を背景に、「大正六年年末乃至同八年春迄ニ約三千万円ノ武器ヲ供給シタル」⁴³⁾と記されているが、WW I 終了後には武器輸出額の減少が顕在化していく。当時、寺内内閣の段祺瑞政権支援政策は、武器輸出の増加という形で表れている。武器輸出額の増減は、その意味で対象国との外交関係の実態を可視化するものであり、そのこと自体が武器移転史研究の重要なアプローチともなろう。

昭和期に入り、泰平組合の継続に関しては、陸軍側と組合側とのやりとりが連綿と続いている。例えば、「泰平組合継続ニ関スル件」(密受第408号 受領昭和5年6月18日)には、泰平組合の三井物産株式会社代表取締役社長三井守之助と、合名会社大倉組頭取大倉喜七郎の連名で陸軍省に対し、「御願」⁴⁴⁾が提出されている。昭和期に入り武器輸出総額の減少が影響しているのか、泰平組合に参加する商社の増加が期待できない状況のなかで、それでも継続依頼を申し出ている恰好となっている。文面上は泰平組合側の「御願」の形式を踏んではいるが、額面通りとは受け取れない。武器輸出政策を進めたい陸軍側の意向が背景にあったことは言うまでも無い。

それを証明する素材として、同日付で陸軍省兵器局が示した「泰平組合更改ニ関スル件」のなかに「意見」⁴⁵⁾とする項目がある。そこには、泰平組合の現状に強い危機感を示す文言があった。政党政治が勢いを得て軍部批判を展開し、世論にも軍縮を求める機運が醸成されもしていた状況下である。この時点で現状を打破するためにも、陸軍内では兵器局を中心に泰平組合に代わる新組織設立が検討され始めていた。加えて、その文面からは武器輸出商社の捭入れ策として、より徹底した陸軍の統制を必要とする意志が示されていた。

新組織の設立を求める背景には、陸軍当局の泰平組合への不満も存在していた。それは

42) アジア歴史資料センター(以下、JACAR): レファレンスコード(Ref) B03030302100 REEL No.1-0089 (外務省史料館蔵「戦前期外務省記録」) 491頁。なお、最後の頁数は、JACARが整理上後付けした数字である。なお、レファレンスコードが最初Bで始まるのは外務省資料館蔵、Cは防衛省防衛研究所蔵を示している。

43) 外務省史料館蔵「戦前期外務省記録」492頁。

44) Ref.C01003813900 (陸軍省「密大日記」昭和3年第三冊) 1426頁。

45) 陸軍省「密大日記」昭和3年第三冊、1428-2429頁。

外国からの兵器の注文様式にも原因があるとしながらも、「組合ガ注文引受後一ヶ年以内ニ引渡ヲ完了セルモノ殆ンドナク、数ヶ年ニ亘ルモノ多シ」（「泰平組合更改ニ関スル説明参考」）⁴⁶⁾と指摘していることから窺える。その実例として、「支那ニ払下タル兵器」である三八式歩兵銃と銃剣が、注文開始から引渡完了まで、一ヶ年四ヶ月、タイに至っては、制式銃と実包の輸出が注文開始から引渡まで四ヶ年も要した、と記録している。他国との武器輸出競争の観点からも、こうした遅延の事態は、陸軍当局にとって深刻な問題と捉えていたのである。

しかし、新組織の設立まで一気に事を進める状況下でもなかった。それは徹底した陸軍による統制という強硬政策が、実際に効果を発揮するのかどうかについて、陸軍側でも確信を持てなかったからである。1930（昭和5）年6月21日付で陸軍副官から陸軍造兵廠長官への通牒「泰平組合継続ニ関スル件」では、期限の切れる同日から、向こう一年間以内の継続を承認する旨の記載がある。

同史料の「外国へ兵器売込ニ関スル件」（昭和5年6月19日 銃砲課）⁴⁷⁾には、六点にわたり継続理由が示されている。改めて武器輸出商社の役割が何処にあるのかを確認する旨の内容である。特に英仏を中心に武器輸出諸国が対中国向けの武器輸出の動きを活発化させており、それに遅れをとらないためにも、武器輸出政策の充実が不可欠とし、そのため泰平組合に参入する商社の増加を期待している旨が明記されていた⁴⁸⁾。

満州事変勃発の前年に示された同文書からは、当該期における軍縮を求める世論の一方で、武器輸出に実績を挙げるための政策が押し進められていたことを窺わせる。そこには、軍縮世論に抗うように、武器輸出による中国への影響力浸透と国内武器生産体制の強化を図ろうとする意図が透けて見える。取り分け、日本陸軍には、軍縮世論に後押しされた民政党内閣の反軍姿勢への反発が蓄積されつつあり、それが国外クーデターとも言える満州事変を呼び込み、同時に軍拡路線へと舵を切るための措置として、こうした武器輸出政策の挺入れが進行していたと考えられる。

次に主要各国の武器輸出の実態について概観しておく。1935年1月に外務省調査部第二課が作成した「武器輸出禁止問題」（外務省調査部第二課作成）⁴⁹⁾に示された数字を引用す

46) 陸軍省「密大日記」昭和3年第三冊、1430頁。

47) 陸軍省「密大日記」昭和3年第三冊、1452-1453頁。

48) 泰平組合の役割期待について論じた論考は少なくないが、池田〔1987〕は「日露戦後における陸軍と兵器生産」において、「兵器売込をめぐる国内商社間の競争を排除し、売込組織を一本化して、ドイツ商社に対抗する体制を官（軍）・民一体となつてつくりあげたのが泰平組合ともいえる」（41頁）とし、ドイツ商社との輸出競争への対応策という点を強調している。

49) Ref. B1007038030（「外務省調査部作成 武器輸出禁止問題」（調 第21号／1935年）017-018頁。

る。1930年における世界の軍需工業生産高は、イギリスを筆頭に上位10か国で世界の輸出総額の9割を占めるとしていた。以下、順位と占有率を示す。第一位イギリス30.8%、第二位フランス12.9%、第三位アメリカ11.7%、第四位チェコ9.6%、第五位スウェーデン7.8%、第六位イタリア6.8%、第七位オランダ5.4%、第八位ベルギー4.4%、第九位デンマーク1.9%、第十位日本1.9%となっている。

ここで明らかなように世界第十位の位置にあった日本の占有率は世界の2%にも満たなかった。このことは、依然として日本の軍需工業生産能力の低位性を示すものであり、そのことが特に日本陸軍をして武器輸出増加を軍需工業の活性化に繋げたい、とする要求を強く意識させる理由ともなっていたと推察される。

（2）満州事変前後期日本海軍の武器輸入

満州事変前後期における武器輸出入問題を整理していくなかで、従来の研究では殆ど取り上げられなかった日本海軍の武器輸入の実態を最初に紹介しておく。当該期の日本が如何なる内容の武器輸入を実施していかを知るうでは、「米国ノ武器輸出禁止ニ関スル件」（昭和8年3月13日付 海軍艦政本部総務部第2課）⁵⁰⁾の史料が参考となる。そこには、日本海軍が行った武器輸入の実数が様々なバージョンで記載されている。そのうちのいくつかを以下に引用しておく。

先ず、1930（昭和5）年度、1931（昭和6）年度、1932（昭和7）年度の3年間における武器輸入相手国と購入額を示す。以下、各年度の輸入総額、上位三国名と取り扱い件数（ ）及び金額である。1930年度は、合計額は241万2,670円で、イギリス（22）227万3,963円、スイス（3）3万5,918円、ドイツ（4）2万1,999円の順、1931年度の総額224万6,656円で、イギリス（18）122万6,637円、フランス（6）82万0,794円、アメリカ（9）8万7,484円の順、1932年度の総額は710万4,041円でフランス（11）309万0,869円、イギリス（16）231万1728円、ドイツ（11）139万2,204円の順である。

満州事変以後、戦線の拡大に伴う武器弾薬の使用量の増大に比例し、輸入額が急激に増えている現実が数字で読み取れる。主な輸入相手国がイギリスとフランスであり、満州事変の翌年に輸入額でフランスがイギリスを上回っている意味は、満州事変を引き起こした日本への対応の姿勢が、輸入額にも反映されていると解釈可能である。

つまり、満州事変にはイギリスとフランスを代表とする国際連盟常任理事国である両国とも厳しい姿勢で臨み、特にイギリスのリットン卿を中心とする、所謂リットン調査団の

50) Ref. C05022716800（海軍省「公文備考」昭和8年）0170頁。

調査報告自体は日本に融和的な内容であったが、イギリスはフランス以上に対日警戒感が強かったことも、結果的に武器輸入額で1932年度にフランスが最上位となった原因と推察される。この点にも武器輸出入が当該期における武器輸出対象国との政治関係によって左右されることを示している。

次に武器輸入品目の実例を紹介しておく。その一例として、1931年度にイギリスから輸入した日本海軍使用の武器の種類を以下に記しておく。（ ）は数量、以下の数字は価格（円）である⁵¹⁾。

留式七耗七機銃（三挺）	五、四一八
留式七耗七旋回機銃（一〇七挺）	一四、七四六五
航空用パーンヤ機銃（二挺）	三、三五八
畏式七耗七機銃（七〇挺）	一三六、二九三
同用普通弾薬包（三、五〇八、〇〇〇）	一七四、五一九
同用曳跟弾薬包（四〇二、〇〇〇）	四九、七七一
畏式一二、〇耗機銃（二三挺）	一六九、六〇五
同用普通弾薬包（五五、〇〇〇個）	二〇、六〇〇
同用曳跟弾薬包（五、〇〇〇個）	四、〇三九
同式四〇、〇耗機銃（一〇挺）	二二二、三四六
同用普通弾薬包（六、五〇〇個）	七〇二二三
同用曳跟弾薬包（三、五〇〇個）	三一、二九三
投射銃（肩当式）（三五挺）	八、〇八一
カーデンロイド軽戦車（六台）	六一、四六八
畏式C・T・A 一〇耗銅板（四〇噸）	五一、六三四
高声電話機（九個）	九四七
ラウダーフォン（一組）	一、〇三四

これらの合計額が122万6657円と記されている。こうした武器内容から、当時の日本海軍が如何なる武器輸入に主眼を置いていたかが判る。なお、これら武器輸入は日本海軍が発注したものであり、泰平組合や昭和通商が関わっていたとは思われない。この点については後述する。

51) 海軍省「公文備考」昭和8年、0110頁。

同史料からもう一つ引用する。「昭和六年度外国武器」から、国別輸入額で多い順に挙げておく。第一位イギリス（125万3,713円）、第二位フランス（82万2,881円）、第三位アメリカ（20万9,245円）、第四位ドイツ（10万1,021円）、第五位スウェーデン（5万3,839円）、第六位イタリア（2万8,000円）、第七位スイス（5,626円）で、合計額が247万4,325円と記録されている。先に挙げた史料との数値が若干異なるが、ほぼ同数となっていることから、武器輸入額は概ね実態を示した数字と判断して良いであろう。

武器の内容は、銃機及び機銃弾、拳銃及び拳銃弾、計器、飛行機部分品等となっている⁵²⁾。武器の種別及び金額では、1930年度の数字だが、銃機及び機銃弾が約105万円、主砲弾丸が50万円、機雷が27万円、飛行機用部分品及び計器が約40万円、その他が約58万円の合計で約280万円となっている⁵³⁾。輸入額だけを見ても、満州事変勃発までのイギリスの位置が極めて大きかった。

イギリスは当該期における世界最大の武器輸出国であり、その武器輸出を通して相手国との経済的かつ軍事的関係の強化を図ることで、覇権主義の徹底化と国際秩序の主導者としての位置を占めていたのである。武器輸出は、その意味で国家の意志と方向性を示す可視的な政治行為であった。

そうした欧米の姿勢について、外務省は「満洲事変ニ際シ各国武器輸出入取締関係雑件」⁵⁴⁾を纏めていた。そこには例えば、武器輸出大国イギリスが満州事変の翌年以降、如何なる武器輸出入政策を示していくのかの一端を記録している。

例えば、「英国政府ノ日支両国ニ対スル武器輸出入ノ解除」の項に於いて、「英国政府ガ二月二十七日日支両国ニ対スル武器禁輸ヲ輸出ノ解除ヲ声明シタルニ対シテハ、英国諸新聞中ニハ政府ノ措置ニ対シ賛意ヲ表スルモノアリタルモ、多数ノ新聞ハ其効果スクナキコト、日支両国ヲ同等ニ取扱フコトノ不公平ナルコト等ヲ理由トシテ之ニ反対ノ評論ヲ掲ケタリ。其ノ主ナルモノ左ノ如シ」⁵⁵⁾として、『ロンドン・タイムス』（1932年2月28日付）、『デーリー・エクスプレス』（同）、『モーニング・ポスト』（同）、『マンチェスター・ガーディアン』（同）、『デーリー・テレグラフ』（3月3日付）、『イブニング・スタンダード』（3月3日付）、『デーリー・メール』（3月4日付）の各紙の論調を紹介している。

このうち『ロンドン・タイムス』では、「被害国タル支那ニ対シ、日本ト同等ノ取扱ヲ為スハ、不公平ナリト言フ点ニアルモ、右ノ点ニ関シ外相ガ目下単独ニテ行動シツツアル

52) 海軍省「公文備考」昭和8年、0111頁。

53) 海軍省「公文備考」昭和8年、0137頁。

54) 海軍省「公文備考」昭和8年、Ref. B04010625000（『戦前期外務省記録』C門 軍事 9グ類 武器、弾薬、航空機、需品、満洲事変ニ際シ各国武器輸出入取締関係一件、頁なし）

55) 満洲事変ニ際シ各国武器輸出入取締関係一件、0368頁。

英国ニ取リテハ、交戦者ニ区別ヲ設クルコトハ實際上困難ナリト論セルハ至極尤モナリ」述べ、戦争当事国の片方に加担することの非合理性を説く論調を紹介していた。また、『デーリー・エクスプレス』（2月28日付）では、「吾人ハ戦争ヲ嫌悪スル点ニ於テ人後ニ落ツルモノニ非ザルモ、武器ノ禁輸カ戦争ヲ終結セシムモノトハ考フルコト能ハズ。如何ナル武器禁輸協定ヲ成立セシムルモ、日支間ノ紛争ヲ止ムルコトハ能ハザル可シ。政府ノ禁輸政策ノ唯一ノ影響ハ英国ノ失業者ニ更ニ一段ノ失業者ヲ増加スルコトナルノミ」とした。

結局のところ禁輸政策が失業者の増加に結果するとして、イギリス国民の経済生活への影響の観点からの反対論を展開していたとする。このイギリス政府が一時期採用した武器輸出禁止に同国のメディアは押し並べて批判的であり、なかには日英友好関係にも悪影響を与えるものとする論調のものもあった。

こうしたイギリス国内世論の動きを受けてか、イギリス政府は武器移転問題については融和的な姿勢を採ることになった。同外務省史料の「二、英国政府ノ武器禁輸声明事情」にも、イギリスにおける各新聞の報道内容とほぼ同一の説明がなされている。要するに、一時武器輸出禁止措置を採ったのは、武器輸出反対運動への一種の「ジェスチャー」だとし、イギリス政府の本音としては、「日支双方ニ対スル友好関係ヲ傷ケズ、又如何ナル場合ニ於テモ紛争ノ渦中ニ卷込マザルコトハ、飽迄之ヲ避クル方針ナル旨」⁵⁶⁾としていた。要するに、紛争に巻き込まれず、武器輸出による利益確保と失業者対策との両方にとって有益とする判断を示していたのである。

4 昭和通商の役割と日本陸軍

(1) 昭和通商の創設

第一次世界大戦の期間中、泰平組合はイギリスやロシアに向け、1000万挺を超える小銃を輸出した実績を残した。しかし、武器輸出額の減少傾向が顕在化すると高田商会が脱会し、それと交代するかのように航空機や装甲車両の製造を担っていた三菱重工業を傘下にもつ三菱商事が加入した。これを機会に泰平組合は、昭和通商と名称変更する。昭和通商（正式名称は、昭和通商株式会社）は、1939（昭和14）年4月20日、陸軍省軍事課長岩畔豪雄大佐の肝いりで設立された。泰平組合と異なり、業務上の指揮監督権や人事権まで全てにわたり陸軍省が掌握し、文字通り陸軍省直下の武器輸出商社としての性格を一層強めていた。

56) 満洲事変ニ際シ各国武器輸出入取締関係一件、0369-0372頁。

「昭和通商株式会社ニ関スル件」によると、陸軍は昭和通商の役割を徹底するために、積極果敢に海外への武器輸出を促す通達を発している。その一例として、陸軍大臣板垣征四郎は、1939（昭和14）年7月27日付で、「昭和通商株式会社ニ与フル訓令」を関係各部隊に通牒した。そこには、「現下ノ時局ニ鑑ミ本邦製兵器ノ市場ヲ積極的ニ海外ニ開拓シ、以テ此種重工業力ノ維持並健全ナル発達ヲ遂ケシムル」⁵⁷⁾ ためと昭和通商設立の目的を明確にしていた。

そこには、泰平組合の役割期待と同質の目的が示されてはいたが、泰平組合がある程度組合構成員の自主性に委ねられていた点と比べ、主に陸軍の思惑が前面に出ている点が異なる。1930年代から40年代という時代の相違性もあろう。軍需産業を支える重工業の安定的な運営のためには、武器輸出先の持続的確保を不可欠とする認識が明瞭にされていたのである。

昭和通商の業務内容については、同史料に収められた「覚書」に詳しい。そこには、「本会社ノ営ムヘキ業務ノ範囲」として、(1) 兵器及び兵器部品並軍需品ノ輸出、(2) 同右ノ輸入、(3) 特殊原材料及機械類ノ輸出入、を挙げていた⁵⁸⁾。また、ここで注目したいのは、陸軍が昭和通商に付与する便益として、「3. 兵器及原品類ノ販路開拓為陸軍ハ事情ノ許ス限り、積極的ニ優秀品ノ払下ヲ辞セサル外、相手国ノ希望ニヨリテハ事情ノ許ス限り、制式品以外ノモノノ製造ニ関シテモ協力ヲ与フルモノトス」⁵⁹⁾ の項目である。陸軍が武器輸出に関し、極めて積極的かつ攻勢的な姿勢が露骨でさえある。要するに兵器購入の機会について、只管に注文を待つだけでなく、兵器の売り付けと武器使用のための指導官を派遣するというのである。泰平組合との違いがここに浮き彫りにされている。

(2) 中国とタイへの武器輸出

先ず中国への武器輸出の実例を示す史料から見ておきたい。例えば、「官房機密第一三六四号 航空兵器輸出ニ関スル件」（仰裁 昭和10年6月5日 決裁）には、中国をはじめとして、航空機購入希望の申し出があることを踏まえ、以下の見解が記されている。特に重要と思われる三項目を引用する。

- 一、最近別紙才一、才二ノ如ク中華民國其ノ他ヨリ軍用機購入ノ希望申出アリ。
- 二、我国ニ於テハ飛行機ノ需要ガ殆ド軍部ニ限ラレ、海外ハ勿論国内ニ於テモ其ノ需

57) Ref.C01007723900（陸軍省「陸機密大日記」昭和14年、第2冊）0641頁。

58) 陸軍省「陸機密大日記」昭和14年、第2冊、0649頁。

59) 陸軍省「陸機密大日記」昭和14年、第2冊、0650-065頁。

要ナキトキハ、工業力維持ノ上ニ多大ノ不安アリ。延テハ戦時動員計画ニモ欠陥ヲ生ズルノミナラズ、一方機材ノ単価ヲ高メ、又飛行機制作技術ノ進歩ヲ阻害スル主要原因ナリ。之等ノ不利ヲ除ク為ニハ、速ニ飛行機ノ販路ヲ海外ニ求ムルノ要アリ。

三、中華民國ニ対シテハ、各国競テ飛行機ノ売込ニ努メツツアルニ鑑ミ、日支外交好転ノ徴アル今日、我国トシテモ先ヅ一石ヲ投ジ置ク要アリ⁶⁰⁾。

この時点でも航空兵器の輸出理由として航空機産業の活性化のためにも販路を海外に求め、それが同時に戦時動員計画遂行の円滑化と、航空機開発技術の向上にも結果すると明快な判断を示していた。また、中国が各国からの輸出相手先として競合状態となっており、同国への航空機輸出を媒介とする影響力確保の面からも、必要不可欠な武器輸出政策との認識を示していた。

1940（昭和15）年10月31日、昭和通商株式会社起草の「航空兵器輸出ニ関スル件」⁶¹⁾には、タイへの航空機輸出の一例として以下の実例がある。先ず、昭和通商の専務取締役堀三也の名で陸軍大臣東條英機宛に「航空兵器輸出許可御願」（昭和5年10月19日付）が提出されている。その内容は以下の通りである。

一、九七式軽爆撃機完全装備（武装不含）	全機用所要機材共	二四台
一、八九式固定機関銃		二四挺
一、八九式旋回機関銃		二四挺
一、八九式旋回固定機関銃	九二式焼夷実包挿弾子、紙函共	一〇〇、〇〇〇発
一、八九式旋回固定機関銃	九二式徹甲実包挿弾子、紙函共	三〇〇、〇〇〇発
一、八九式固定機関銃保弾子		二五、〇〇〇個
一、五十疋型投下爆弾		二、〇〇〇個

右之通り泰国政府向輸出致度候間、何卒御許可可被成下度此段奉願上候也

この「御願」に対し、同年同日付けにおいて副官名で昭和通商側に許可する旨の通牒が通達され、同時に副官より陸軍航空本部長にその旨が伝達されている。書類上のやり取りだが、陸軍側と昭和通商側との連携ぶりを示す記録である。

日本の中立国であったタイへの航空機輸出は、対英米蘭戦争開始後も一定程度継続さ

60) Ref.C05034160500（海軍省「公文備考」昭和10年6月6日）0100頁。

61) Ref.C01002443600（陸軍省「陸軍省大日記」乙輯第2類 昭和15年 兵器其3）1066頁。

れた。例えば、1942（昭和17）年4月9日に陸軍航空本部第二部が起草した「泰国へ譲渡ノ飛行機組立作業援助ニ関スル件」には、陸軍次官から南方軍総参謀長宛の電文として、「泰国譲渡中ノ九九式高等練習機九機（内六機三月十四日ノ朝昭和丸ニテ発送済、残三機近ク発送予定）ノ組立作業ヲ昭和通商株式会社（盤谷支店）ト連絡ノ上援助セラレ度」⁶²⁾なる内容が記されていた。

航空機を含めた武器輸出の目的として、平時における軍需生産体制の安定化と軍事技術の向上確保があることは、多くの記録で明らかであるが、この史料もその実態を示している。航空機輸出として、中国を相手とする以前から、タイが有力な輸出相手先と見積もられていたことは先に述べた通りである。1940年10月14日付の「起草者 兵器局銃砲課 兵器売込ニ関スル件」には、「泰国親善使節一行軍需工業視察中、プロム大臣ノ言ニヨレバ兵器購買ハ帝国ニ依存スルコト确实視サルヲ持テ、交渉慎重ヲ期サレ度」と記され、タイの実力者であったプロム大臣への接近策が功を奏し、日本の武器輸出の先行きに一定の展望が開けた現状を語っていた。

さらに「泰国兵器輸出ニ関スル件」（1940年10月8日 航空本部受付）には、次官より泰国公使館付武官への暗号電報の形で、タイへ三八式歩兵銃、三〇年式銃剣、九六式軽機関銃、10両の九五式軽戦車（三十七耗砲装備）、40両の九四式軽装甲車（機関銃装備）、他に航空機も空輸で輸出する、との内容である。そこにおいて「輸出価格ニ就テハ、昭和通商ニ示シアル範囲トシ度」としていた。

このように、タイ政府の日本からの武器輸入は極めて積極的であり、そのことを示す史料として、1940（昭和15）10月4日付で、総務部長から泰国公使館附武官宛の「電報」（秘電報第262号）には、「泰国ト仏印間ノ状況切迫ニ伴ヒ、泰国ハ目下軍備増強ニ奔走中、泰空軍ハ大至急ニ軽爆撃機二十四、五十両爆弾二千個ヲ至急入手シ度。直ニ積出シテクレ。（中略）已ムヲ得ザレバ、其ノ半数ニテモ即時積出シテクレト小官ニ懇請シ来レリ」⁶³⁾と記されていた。

タイ政府はフランスを筆頭とする外国勢力から圧力を受けており、中立国の堅持が危ぶまれた状況下にあった。それで、自力で中立堅持のために、インドシナ半島にも触手を伸ばしていた日本からの武器援助に頼らざるを得ない状況にあったのである。タイ政府は指導者プレーク・ピブーン・ソンクラーム⁶⁴⁾の命令で、50両に及ぶ軽戦車を至急日本から

62) Ref.C01000204000（陸軍省航空本部第二部「陸密大日記」第12号 昭和17年）0740頁。

63) Ref.C01004903700（陸軍省「密大日記」昭和15年第15冊、昭和15年10月）2001-2001頁。

64) プレーク・ピブーンソンクラーム（Luang Pibulsonggram、1897年7月14日-1964年6月11日）は、タイの政治家である。首相を二度度務めた。立憲革命時代から第二次世界大戦を跨いで、タイの政治に大きな影響力を持ち続け、「永年宰相」と綽名された。

輸入することとなった。

1940（昭和15）年10月5日付で泰国公使館付武官から総務部長宛「電報」（第264号）には、「「ピブン」ハ泰国軍ノ使用兵器ノ補給ヲ、今後全部日本ニ仰グコトヲ決心セルヲ以テ、日本側ニ於テモ商売の見地ヲ離レ、政治的ニ考慮セラレ度」と記され、さらに「国際情勢ノ変転ニ絆ヒ、日、泰ノ軍事提携ハ着々進行シツツアリ。此ノ際我ガ方トシテモ、兵器売却問題ヲ戦略的ニ考慮スル必要アルニ至ル」とする判断を示していた⁶⁵⁾。

それで昭和通商は、如何なる役割を担っていたかを以下の史料から概観しておく。まず、1941年1月13日付で陸軍次官から泰国大使館付き武官に送付された「昭和通商株式会社利用ニ関スル件」⁶⁶⁾が、その役割の所在を端的に示している。なかでも注目されるのは、「一、泰国ヨリ注文セラルル軍用（民間用ニアリテモ軍用ニ準性質ノモノヲ含ム）兵器似品ヲ昭和以外ノ商社ヲ通シ内地ニ注文セラルル向アルモ、統制上不利ニ付、爾今兵器並ニ兵器類似品ノ取扱ハ、全部昭和通商ヲ通ズル如ク指導ヲセラレ度」の箇所である。

ここではタイに限ってかは不明だが、昭和通商以外の武器輸出商社の存在も窺わせながらも、結局武器輸出商社は陸軍傘下の昭和通商に一本化することが示されている。広範な武器輸出体制を整備し、陸軍の思惑を実行に移すためには、複数の商社を動員するのが合理的とも思われるが、統制上の観点から昭和通商に一本化する旨が明記されていたのである。特に陸軍が傾注していたのが昭和通商を媒介にしての航空機輸出であった。日本陸軍としては次世代の主力兵器として航空機の存在を強く意識しており、航空機生産の高度化・大量生産化への観点から、日本における航空機産業の充実発展のためにも輸出体制の確立が急務と認識されていたのである⁶⁷⁾。

武器輸出先としてタイに限らず、陸軍はヨーロッパ方面にも触手を伸ばそうとしていた。例えば、1940（昭和15）年2月7日付けで、軍務局軍事課は、陸軍次官から駐在武官宛て電報文で、「「スカンジナビヤ」向ケ再供給ノ処アル兵器輸出ハ、国際情勢ニ鑑ミ差控ヘ度。又「バルカン」向兵器ハ直接取引センメ度」⁶⁸⁾と記すように武器輸出が国際問題化しないようにとの慎重姿勢を喚起しながらも、武器輸出策に積極果敢に取り組むように督促している。

そのことを示す一例として、1940年1月19日付の「軍需品輸出ニ関スル件 軍務局軍

65) 陸軍省「密大日記」昭和15年第15冊、昭和15年10月、2003-2004頁。

66) 陸軍省「密大日記」昭和15年第15冊、昭和15年10月、2003-2004頁；陸軍省「陸支密大日記」第18号、昭和16年1月21日、0670-0672頁。

67) 戦前期タイに向けた日本商社の活動全般については、川辺〔2008〕を参照。

68) Ref.C01004879200（陸軍省「密大日記」昭和15年2月）0289頁。

務課 起草」⁶⁹⁾には、陸軍省軍務課がイタリア、ドイツ、フランス、イギリス、アメリカ、ソ連、ポーランド、フィンランド、トルコ、ラトビア、ルーマニア、イラン、タイ、ブラジル、メキシコなどに駐在する武官に電報（陸密電）で、「輸出余裕アルモノハ、左記兵器特ニ弾薬トス。追テ輸出ハ昭和通商ヲシテ本年度総額概ネ一億円程度ナリ」と記していることである。これに航空機や戦車などの武器類を加算すれば、相当額の武器輸出が行われていたことになる⁷⁰⁾。ここで示された「左記兵器」とは、八八式高射砲・九四式対戦車砲、重擲、軽擲、弾薬、他に手榴弾、各種爆弾の類のこと、重擲とは、八九式重擲弾筒のことで、小隊用の軽迫撃砲である。

因みに、1940年度の国家予算は109億8275万円、直接軍事費は79億4719万円であった⁷¹⁾。即断は避けねばならないが、戦前期日本の戦争行為の裏側で、相当規模の武器輸出が実行されていた事実が浮き彫りになる。戦争行為のなかで武器輸出が同時進行していたのである。戦争行為が武器移転、換言すれば武器拡散を常態化していく、一つの証左と言えるであろう。

5 おわりに 結論と残された課題

冒頭に挙げた課題設定を受けて、以上の論述により以下の結論を要約しておきたい。

第一に、明治初期から開始されていた日本の武器生産問題は、特にWW I 中におけるロシアを筆頭とする武器輸出要請に十分に対応しきれなかったことが、日本政府及び陸海軍をして、軍需工業動員体制構築の必要性を痛感させたこと。それは官民合同による武器生産問題への取り組みとなって政策化されていったことである。

第二に、武器生産・兵器独立などを担保する軍需工業の民営化が押し進められ、それがまた戦前期日本の武器輸出を活発にしていた。その直接的担い手として泰平組合と昭和通商とが、日本陸軍の統制下に創設されつつも、日本の武器輸出体制を日本敗戦に至る迄担い続けてきたことである。

第三に、日本陸軍統制下に置かれはしたが、あくまで民間商社の自主性が重んじられ、その活動が期待されてきた側面を否定できないことである。それはWW I の教訓から軍の主導性を中心とすれば、新たな総力戦への対応は不十分とする認識が軍の側にあったからである。しかし、1920年代における国際軍縮の動きのなかで、軍主導による軍拡政策の採用を余儀なくされるに至り、そこから武器生産問題における軍の主導性が求められる

69) Ref.C01004878900（陸軍省「密大日記」第15冊 昭和15年1月-2月）0275頁。

70) 戦前期日本の武器輸出については頼綱〔2018〕を発表している。

71) 藤原〔2016〕272頁。

ことになったと考えられることである。

第四に、従来の研究では殆ど触れられなかった武器輸入問題から窺えるのは、日本の武器生産技術の相対的低位性を証明する輸入品目内容であった。そこには武器輸入による生産技術の習得と開発、そして生産の向上を図った足跡を看取できることである。

最後に残された課題にも触れておきたい。昭和通商は軍との一体化路線によって、文字通り「軍拡の利益構造」を担保され、それ以外の選択肢は存在しなかった。欧米の民間軍需工業と異なり、1930年代以降における日本の国際武器輸出ネットワークは脆弱であり、自立的な武器輸出を展開できた欧米の武器輸出商社とは、基本的に埋め難い格差が存在したからである。

但し、1930年代における日本の戦争相手国は基本的に中国であり、それゆえに欧米並みの武器生産と輸出の意向は必ずしも強いものではなかったことも事実である。すなわち、武器水準において、日本より劣位に位置すると判断した中国戦線では歩兵の戦闘力が重視され、戦車や大砲など火力や機動力充実への要求が必ずしも高いものではなかったからである。しかし、その判断が張鼓峰事件（1938）やノモンハン事変（1939）での日本軍の敗北を結果する。さらには、1940年代に入り、高度兵器生産技術を持つイギリスやアメリカを相手とする戦争が予測されるに及び、先の対ソ連戦の教訓をも含め、軍事技術の高度化が急速に求められるに至った。

また、日本陸軍と同様に武器輸出入に乗り出していた日本海軍が、泰平組合や昭和通商に匹敵するような武器商社を自前で持っていた形跡は現時点で発見できていない。海軍の公式見解は、引用した通り「仲介者」は不在と言うことである。本稿では武器輸入の実態の一部を示す史料を引用紹介したが、特に1920年代以降における日本海軍の武器輸入の実態と、その担い手については今後の史料調査により明らかにしていきたいと考えている。

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論説

イギリス海軍における節約と旧式艦の処分 —クリミア戦争からワシントン海軍軍縮条約を中心に—

小風 尚樹

British Royal Navy's Quest for Disposal of Obsolete Warships: From Crimean War to Washington Naval Treaty

By NAOKI KOKAZE

In the era of rapid technological innovation c. 1850–1930, the British Royal Navy was forced to maintain a surfeit of obsolete warships. To cope with increasing military tension with France, Russia, and Germany, the expansion of armaments was necessary, but under the contemporary slogans, e.g. ‘Retrenchment’ and ‘Efficiency’, obsolete warships were waste to be disposed of in the highest priority. Although an examination of the disposal of obsolete warships is crucial to understanding how the Navy addressed the reconciliation of peacekeeping with retrenchment, previous studies on this topic have been limited to Sir John Fisher’s Reform (1905–). By contrast, this paper clarifies, both in quantitative and qualitative approaches, two underlying issues: (1) to what extent and under which financial system the disposal of obsolete warships contributed to retrenchment in naval finances; and (2) what types of obsolete ships were disposed of intensively, mainly from the Crimean War (1854) to the Washington Naval Treaty (1922). The main findings are that the sale of old ships was a major means for the retrenchment since the 20th century; and that the technological innovations had a more significant impact on relatively new steamers than on obsolete wooden vessels. This paper will give new insights on further studies, including the culture of historic ship preservation, the diplomacy of shipbroking, and the industry of British shipbreaking.

1 はじめに

(1) 問題の所在と課題設定

よく知られているように、19世紀半ばから20世紀前半にかけてのイギリス海軍の歴史は、帝国主義諸国間の緊張関係をあおる世論の高まりと軍備拡張・海軍費の膨張¹⁾、それらに伴う民間軍需企業の台頭と軍事技術の革新の時代として描かれてきた²⁾。

新しい技術の登場は、同時に既存の技術を時代遅れのものにする。急速な技術革新期にあったイギリス海軍も、大量の旧式艦を抱え込むことになった。例えば1905年のドレッ

1) Sumida [1993] ; Lambert [2002] ; 横井 [2004] ; 藤田 [2015] など。

2) Brown [2004] ; Marchisio [2012] など。

ドノート級の登場により、154隻もの軍艦が「実働軍艦一覧List of Effective Ships」から一挙に登録を抹消された³⁾。このような旧式艦の扱いや戦力外となった軍艦の処分について論じたイギリス海軍史の先行研究は、後述するように20世紀初頭のフィッシャー Sir John Fisher改革期を対象としたものに限られてきた。

しかしながら、旧式艦の処分という問題は、ヴィクトリアおよびエドワード期を通して、海軍史にとどまらず、イギリス国制・帝国史における重要なテーマと密接に結びつく論点である。そのテーマとは、19世紀後半における「節約Retrenchment」と世紀転換期における「効率性Efficiency」である。どちらの標語も、国民の生活に利するような目的で国家財政が運用されることと、無駄が排除されることを追求した改革や政治運動を指す点で共通する⁴⁾。イギリス海軍に関して言えば、高まる対外的な軍事的緊張状態への対策として軍備増強が求められていた一方で、軍事費削減要求を断続的に受けていたのである。まさにこの文脈において、イギリス海軍にとって旧式艦は切り詰めなければならない「無駄」の象徴であったと言える。したがって、旧式艦の処分の時代的変遷を明らかにしなければ、イギリス海軍がどのように平和維持と節約を両立しようとしていたのかについて充分に理解することができないのである。

基本的な歴史背景と先行研究の到達点を確認しておこう。当時のイギリス海軍は、1889年の海軍防衛法the Naval Defence Actにおける「二国標準主義Two-Power Standard（他のいずれの二カ国の海軍力を合わせたものを下回らない方針）」の採用に見られるように、世論の後押しを受ける形で、フランスやロシア、そしてドイツ海軍を仮想敵とした海軍増強路線に舵を切ることを余儀なくされた。このように、ほかの帝国主義列強との間の建艦競争の渦に巻き込まれたイギリス海軍にとって、軍事技術革新は内発的なものというよりは対外的な危機への消極的対応であった⁵⁾。この軍備増強政策に伴って膨張した海軍費の抑制を目的とした20世紀初頭のフィッシャー改革は、新型のドレッドノート級の建造と旧式艦の処分を二つの柱とした。このフィッシャー改革における旧式艦の処分は、1940年に出版されたマーダー Arthur J. Marderの古典的著作以来⁶⁾、主に海軍における人事システム刷新に必要な経費を捻出する方策として説明されてきた⁷⁾。

しかしながら、前述のように旧式艦の処分はフィッシャー改革期に限らず、さまざまな観点から重要な問題である。すなわち、まず旧式艦の処分がどの程度海軍費の節約に寄与

3) Ashworth [1969] p. 503.

4) Searle [1971] ; Biagini [2004] など。

5) Grove [2005] Chap. 4; ムロイ [2006] 96、112–113頁；細谷 [2006] 165–169頁。

6) Marder [1940] pp. 487–489.

7) Lambert [2002] ; 横井 [2004] 102頁；Smith [2011] ; 藤田 [2015] 86頁。

したのかという財政史的側面、さらには軍艦が処分されてイギリス海軍の手を離れた後、解体された資材がどのように再利用されたのかという産業史的側面、あるいは海戦では戦力にならなくとも修理・保全のうえ博物館などに展示されることはなかったのかという文化史的側面など、旧式艦の扱いについては検討の余地が幅広く残されている。

これらの問題をすべて詳細に論じることは本論文の範囲を超える。本稿では、旧式艦の維持や処分に関する費用がイギリス海軍費の中でどの程度の割合を占めていたのか、その基本的事実について財政史的観点から明らかにすることを第一の課題とする。加えて第二の課題として、イギリス海軍における旧式艦の処分についておおまかな全体像を提示する。その際、フィッシャー期に限らず、木造艦の限界が露呈したクリミア戦争期から第一次大戦後のワシントン海軍軍縮条約締結期までの時期を中心に、イギリス海軍における旧式艦の処分について概観する。

（2）課題の詳細と本論の構成

第一の課題は、イギリス海軍費における旧式艦売却額の位置づけを明らかにすることである。スミダ Jon T. Sumidaによれば、旧式艦の売却は、予算以外で「海軍が支出できる財源を増やし、維持費を削減し、ほかの新型艦のために使用できる港湾設備を解放する」ことを可能にした⁸⁾。ただしスミダは、旧式艦の売却で得られた収入は海軍の財源として組み込まれることによって予算の節約効果をもたらすことができたと示唆しているものの、それがどのように制度化され、どのような用途の財源として組み込まれたのかについては明らかにしていない。そこで2（1）では、イギリス海軍費の推移や仕組みを概観した後、イギリス海軍費における項目編成および旧式艦売却額の位置づけの変遷について、特に財産売却額などから構成された受領金 *Extra Receipts* に着目して明らかにする。2（2）では、旧式艦売却額が造艦関連の決算費に対しどの程度節約効果があったのか、ほかの受領金の内訳と比較して明らかにする。主な史料として、毎年度末に予算と照らし合わせて実際の支出を報告する議会文書、すなわち1868年度までは『海軍支出入 *Naval Receipt and Expenditure*』、1869～1930年度については『海軍議定費決算書 *Navy, Appropriation Account*』を通時的に用いる⁹⁾。

第二の課題は、イギリス海軍旧式艦の処分の全体像を描くことである。そのために、関連する複数のデータセットを比較検討し、1850～1930年の間にイギリス海軍が何らかの

8) Sumida [1993] p. 28.

9) House of Commons Parliamentary Papers (hereafter cited as HCPP), *Naval Receipt and Expenditure; Navy, Appropriation Accounts*.

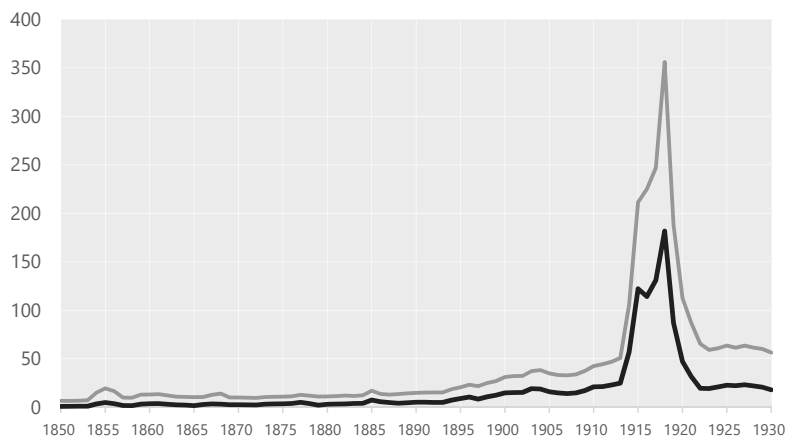
形で所有権を失った3958隻の軍艦データベースを作成した。このデータベースに基づき旧式艦の処分方法を類型化した後、軍艦情報のうち軍艦のスペックや処分の詳細に関するデータを統計的に分析することにより、イギリス海軍における旧式艦の扱いを明らかにする。なおその際、本稿の論旨に関連する限りにおいて産業史や文化史的側面にも言及する。

2 イギリス海軍費と旧式艦売却額

(1) 旧式艦の売却に関する制度的変遷

19世紀末に始まるイギリス海軍費の膨張は先行研究でしばしば論じられてきたが、旧式艦売却額の位置づけを検討するためにイギリス海軍費の総支出Gross Expenditureの年推移を改めて確認する。図1の折れ線グラフは、海軍費総支出（上の線）と造艦関連支出合計（下の線）の年推移を示している。

図1 イギリス海軍費総支出と造艦関連支出の年推移（単位：100万ポンド）¹⁰⁾



これら折れ線の増減傾向は、クリミア戦争中の1855年および第一次大戦中の1916年を除いてほぼ一致しているように見える。この傾向は、1889～1914年において造艦関連費用が海軍費膨張の主要因であったという吉岡の指摘と親和的である。吉岡によれば、造艦関連予算が適切に見積もられているかどうかを判断するには高度に専門的・技術的な知識を要したために外部監査が難しく、結果として同支出が肥大化し、イギリス海軍費総支出の膨張につながった¹¹⁾。本章は、この造艦関連支出に着目して考察を進める。

10) 1914～15年度における造艦関連支出の算出については注13を参照のこと。

11) 吉岡〔1989〕5-6頁。

ここでイギリス海軍費の基本構造を確認する。そもそも海軍費は、経費の用途に応じて複数の項Voteおよびその下位分類としての目Subheadが議定費として定められており、総支出はこれらすべての項を合計した純予算Net Expenditureを基本とした。議定費は『海軍予算説明書（前年比較）Navy Estimates, for the Year, with Explanation of Differences』にて予算として提出されたのち議会の承認を得て国庫から割り当てられた¹²⁾。議定費の項目編成は1888年度を境に大きな変更があり、その基本的内訳と変遷は表1に示す通りである。このうち造艦関連支出を構成したのは、87年度までは項6および項10であったが、88年度以降は項8に集約された。この項編成の変化は、図1の折れ線グラフで示した造艦関連支出の算出にあたっても反映されている¹³⁾。

表1 イギリス海軍議定費（非実戦業務を除く）項目編成の基本的変遷¹⁴⁾

項番号	項目編成(1885 年)	項目編成(1905 年)
1	給与	給与
2	食糧・衣料	食糧・衣料
3	海軍省	医療施設・業務
4	沿岸警備・海軍予備隊	軍法
5	科学的業務	教育
6	海軍工廠(国内外)	科学的業務
7	食糧補給・輸送拠点(国内外)	海軍予備隊
8	医療施設(国内外)	造艦・修理・保全 目Ⅰ: 人員 目Ⅱ: 資材 目Ⅲ: 請負
9	海兵	武器
10	目Ⅰ: 資材(建造・修理・繕装) 目Ⅱ: 蒸気機関・請負による造艦	工事・建物・修理(国内外)
11	新規工事・改築・修理(工廠内)	雑役
12	薬剤・医療物資	海軍省
13	軍法	
14	雑役	

12) 海軍予算案の作成過程や予算統制、関連部局・委員会についての制度的実証研究として、藤田 [2015] を参照のこと。

13) 造艦関連支出の算出にあたって項6・10および項8に基づく手法は、Brown [2004] p. 205, Appendix 1 を参照した。なお図1の1914年度については、『海軍議定費決算書』に項8～11の支出が合算して記載されているため、同年度予算額の比率を参考に決算額から造艦関連支出を推計した。15年度については、同年度予算額の比率すら明らかでないため、これも14年度予算額の比率を参考に決算額から推計した。

14) 項目編成の訳語は、吉岡 [1989] 6頁の第1表を一部参考にした。表1から除外した非実戦業務の項目には、退役士官や文官の年金・慰労金などが含まれる。

ただし、イギリス海軍総支出はこれら議定費に基づく支出だけで構成されるわけではなかった。イギリス海軍には、議定費のように議会の審議・承認を経ることなく、歳出当局の裁量で執行可能な臨時財源が複数存在していたのである。これらの臨時財源は、予算提出時に概算で示されたとしても、実際に年度末の決算書で報告される額と大きく異なることがしばしばであったため、海軍予算と総支出との間の齟齬の原因の一つとなった。それらのうち、本稿の論旨と最も関係するのが支出補充金 *Appropriation in Aids* である¹⁵⁾。支出補充金は、公的資金の収支を一元的に管理した統合基金 *Consolidated Fund* を経由せずに、歳出当局が一時的に得た手数料や罰金、財産売却額その他の臨時収入を、表1で示したような関連する支出用途に対応した項目の経費として予算に上乗せできるものであった¹⁶⁾。

さて、本題の旧式艦売却額の位置づけは、イギリス海軍が保有する財産の売却額とみなされ、当初は国庫に納付されたが、その後海軍当局に財源として留め置かれることとなった。すなわち、1848年5月2日付の大蔵省覚書 *Treasury Minute* にしたがって48～81年度までは臨時受領金 *Extra Receipts Money* として国庫に納付されたが¹⁷⁾、82年4月1日に支出補充金が制度化されて以降は¹⁸⁾、造艦関連支出の支出補充金として海軍費に割り当てられたのであり、このことが議定費の節約に通じたのである。すでに述べたように1888年度に項目編成の変更があったため、旧式艦の売却額は82～87年度までは項10(目I)に、88年度以降は項8(目II・III)に割り当てられることとなった。造艦関連支出および旧式艦売却額の扱いについて年度ごとの変遷をまとめると表2のようになる。なおこれ以降、臨時受領金と支出補充金を総称する場合には「受領金」の語を用い、両者の区別が問題になる場合にはそれぞれの名称を用いる。

15) ほかに支出項目変更 *Transfer of Votes*、特別勘定 *Special Fund*、借入金 *Borrowing* が存在し、議会による財政統制に綻びをきたす原因となったが、本稿では立ち入らない。詳細は吉岡[1989]3-5頁；藤田[2012]25-27頁を参照のこと。

16) Willoughby [1917] Chap. 5; 吉岡 [1987] 28頁；藤田 [2012] 26頁。

17) 管見の限り1848年5月2日付の大蔵省覚書の原文を確認することはできなかった。ただし、1848年度から82年度までは『海軍支出入』の覚書欄に、当該年度の「臨時受領金は国庫に納付された。これは、1848年5月2日付大蔵省覚書に則ったもので、かつては海軍予算に割り当てられていたものの代わりとなるものである」との記述が見られる。HCPP, *Naval Receipt and Expenditure, for the Year ended the 31st March 1849*, 1850, p. 5.

18) 支出補充金は1891年の国庫金決算・負担法 *Public Accounts and Charges Act* によって成文化された。*Public Accounts and Charges Act*, 54 & 55, Vict. Ch. 24, Section 2 (3); Willoughby[1917]pp. 102-103; 吉岡[1989]4頁。

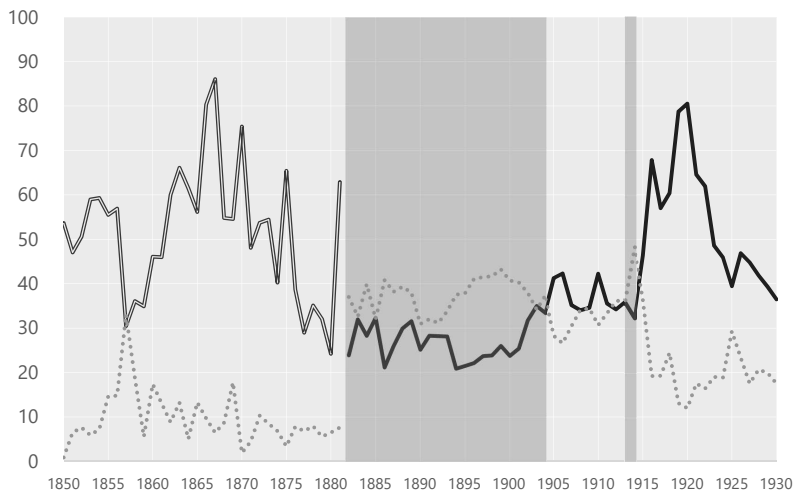
表2 イギリス海軍費における旧式艦売却額の位置づけの変遷

会計年度	造艦関連支出の項目	旧式艦売却額の位置づけ
1848~1861	項 6・10	項 10 の臨時受領金として国庫に納付
1862~1881	項 6・10(目 I・II)	項 10(目 I)の臨時受領金として国庫に納付
1882~1887	項 6・10(目 I・II)	支出補充金として項 10(目 I)に割当
1888~	項 8(目 I・II・III)	支出補充金として項 8(目 II・III)に割当

(2) 受領金に対する旧式艦売却額の割合

本節では、海軍総支出のうち造艦関連支出に対する旧式艦売却額の比率を算出することによって、同売却額の節約効果の程度を明らかにしていく。まずは、受領金の項別内訳に注目する。というのも、すでに説明したように、受領金は毎年度の項目編成に対応して国庫か海軍当局に納付されたため、旧式艦売却額の節約効果を明らかにするには他の項目の受領金と比較する必要があるからである。毎年度の受領金の項目別推移を悉皆調査したところ、1882～1904、1914年度を除くほぼすべての年度において旧式艦売却額を含む項目の受領金が基本的に最も高く、次いで項2の食糧・衣料に関する受領金が高い傾向にあった¹⁹⁾。この傾向について図2に、1850～81年度の臨時受領金全体に占める項10(二重

図2 受領金全体に占める旧式艦売却関連費（二重線・実線）と食糧・衣料関連費（破線）の比率の推移比較（単位：％）



19) 項2の支出補充金の内訳には詳しく立ち入らないが、たとえば1905年度の議定費決算書において最も多額の支出補充金として計上されたのは、水夫や海兵の person 費に対する課税、衣料・石炭・タバコにかかる税金や控除額など 36 万 4252 ポンドで、同年度の支出補充金総額の 21.30% を占めた。HCPP, *Navy Appropriation Account, 1905–1906*, 1907, pp. 5, 10.

線)および項2(破線)、1882～1930年度の支出補充金全体に占める項10あるいは項8目Ⅱ・Ⅲ(実線)、および項2(破線)の割合の推移を示した。

図2で注目したいのは、1882～1904年度において支出補充金に占める旧式艦売却額の割合が最大でないこと、すなわち旧式艦があまり売却されなかったことである。この時期は海軍増強期にあたり、1884年にペルメル・ガゼット紙 *Pall Mall Gazette* に掲載されたステッド W. T. Stead による「海軍についての真実とは何か What is the Truth about the Navy?」と題する記事をきっかけに、主にロシア・フランスに対するイギリス海軍力の深刻な不足を克服するための軍拡世論が支配的になった。イギリス海軍省はこの海軍恐怖 Naval Scare を背景に、1889年の海軍防衛法における二国標準主義の採用を要とする一連の海軍増強計画を実現させた²⁰⁾。これに加えて、第一次大戦が勃発した1914年度にも項8の支出補充金比率が項2のそれを下回っていることから明らかなように、軍艦の需要の高まりと旧式艦売却額は反比例の関係にあった。

図2では、海軍増強期を除いて旧式艦売却関連費が相対的に高い比率を占めていたことが示されたが、これらは必ずしも旧式艦売却額だけから構成されていたわけではない。ここから項目ごとの内訳を分析して初めて、旧式艦売却額の節約効果を明らかにすることができる。表3は、対象年度における旧式艦売却関連費、すなわち1850～82年度における項10および1905～30年度における項8目Ⅱ・Ⅲに対応した受領金の基本的内訳をそれぞれ示したものである。

表3 項10および項8に割り当てられた受領金の基本的内訳一覧

項10 内訳(1850～1882 年度)	項8 内訳(1905～1930 年度)
兵舎賃借料	目Ⅱ 植民地分担金
古資材売却額	資材供給手数料
資材供給手数料	旧式艦売却手数料
旧式艦売却手数料	古資材・機関売却手数料
旧式艦売却額	燃料供給手数料
船室および備品使用手数料	その他
その他	目Ⅲ 植民地分担金
	旧式蒸気船・機関・砲架売却手数料
	その他

表3に見られるように、項10・項8の受領金はともに、旧式艦売却額だけでなく売却に伴

20) Rodger [1976] p. 126; Chesneau, et al. [1979] pp. 1-2; 横井 [2004] 96頁。

う手数料、そして資材や機関、燃料供給に関する収入も含まれていたことがわかる。ここで言われる資材とは、木造帆船時代における木材・マスト・タール・ピッチ・ロープといった船舶の艤装品のほかに、装甲艦時代に入って以降は銅や合金などが含まれたものである²¹⁾。

次に、表3で示した受領金の金額詳細を検討する。今回作成した海軍費データベースに基づいて調査したところ、項10および項8の受領金に対して大きな割合を占めていたのは、旧式艦や資材の売却額・手数料、あるいは燃料供給手数料であった。1850～82年度と1905～13年度、1916～30年度では金額の規模がまったく異なるので、それぞれ別表にて金額の推移を示す。なお1883～1904年度については、項目編成の変更に伴って当該年度の『海軍議定費決算書』に諸項目の支出補充金がまとめて計上されており、旧式艦売却高だけを取り出して計算することができないため、考察の対象外とする。

図3 1850～82年度における項10臨時受領金額の推移（単位：千ポンド）

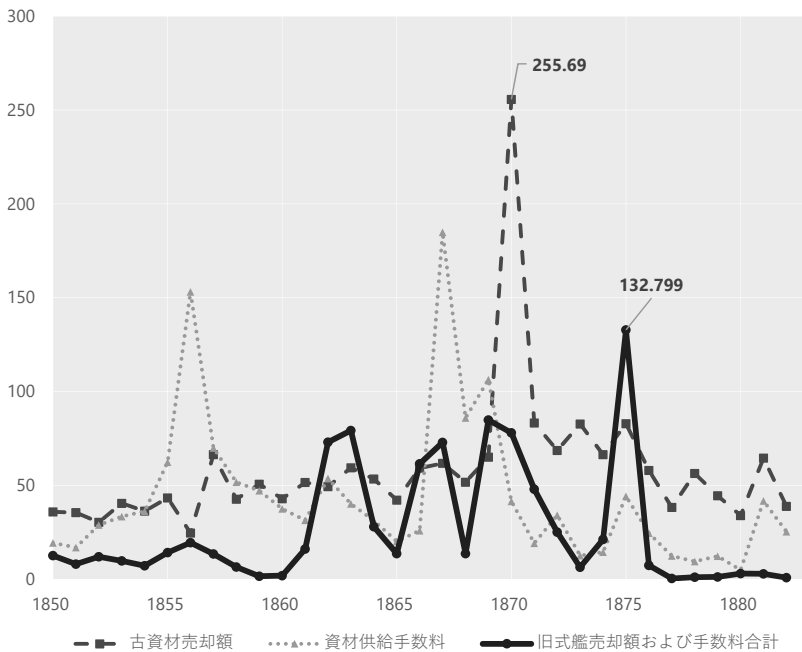
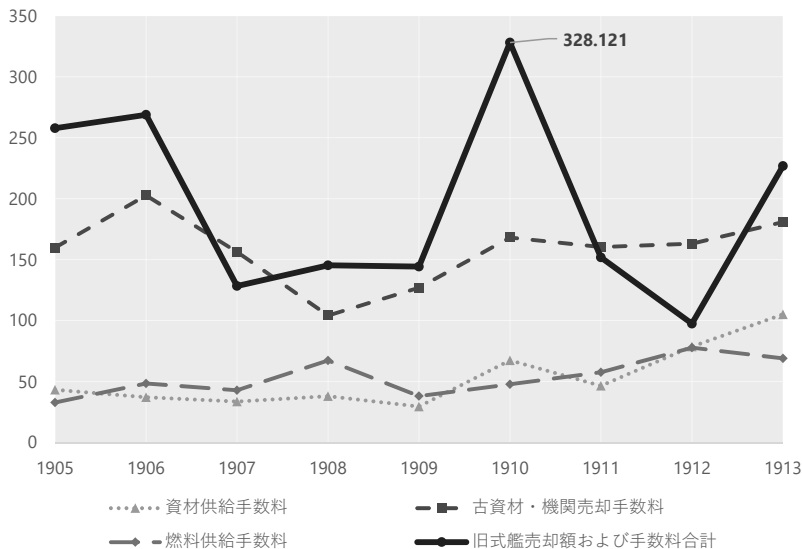


図3によれば、項10に割り当てられた臨時受領金のうち、旧式艦売却額および手数料の合計額は、古資材売却額や資材供給手数料と比べて特段多いわけではなかった。確かに、例えば1875年度には、旧式艦売却額および手数料の合計額が最大となり、額にして13万

21) HCPP, *Return of the Number of Ships Sold by the Admiralty from July 1859 to the Present Date*, 1867, p. 12.

2799ポンド、臨時受領金全体に対する割合は33.43%、造艦関連支出に対しては3.75%を占めたが、この時期は安定的に古資材売却額が高く、70年には25万5690ポンドで臨時受領金全体のおよそ半分の50.96%、造艦関連支出に対しては7.22%を占めた。したがって、1850～82年度における旧式艦売却額は、項10の臨時受領金全体に占める割合を見ると、主要な節約策ではなかったと言える。

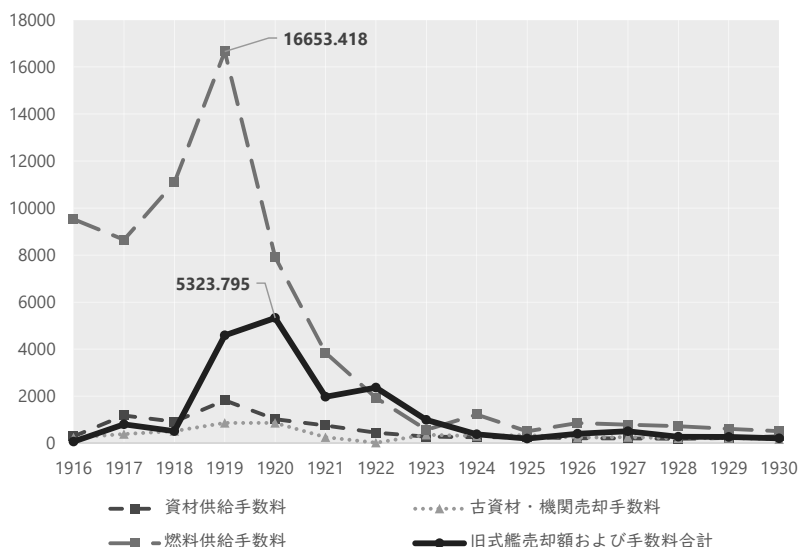
図4 1905～13年度における
支出補充金額（項8目Ⅱ・Ⅲ）の推移（単位：千ポンド）



20世紀初頭には、図4で示したように、旧式艦売却額および手数料の合計額が、古資材・機関売却額などを基本的に上回っており、主要な節約策としての位置づけを占めた。これについては、次章で詳述するように1904年に第一本部長First Sea Lordに就任したフィッシャーによる大量の旧式艦処分が影響しているとするのが妥当である。フィッシャー自身の計算によれば、旧式艦の処分によって維持・修理費が不要になり、差し引き年額84万5000ポンドの節約を達成したという²²⁾。ただし、この時期に旧式艦売却額および手数料の合計額が最も多額の32万8121ポンドを数えた1910年度でさえ、支出補充金に対して16.23%、造艦関連支出に対しては1.63%を占めるにとどまり、改めて英独建艦競争期の支出規模が窺える。

22) Marder [1961] p. 40.

図5 1916～30年度における
支出補充金額（項8目II・III）の推移（単位：千ポンド）²³⁾



続いて第一次大戦期を含む1916～30年度について図5から検討する。第一次大戦終結後、特に1920年度には旧式艦の売却額が532万3795ポンドで支出補充金全体の26.24%、造艦関連支出の11.25%を占めた。しかし、それ以上にこの時期は燃料供給手数料がきわめて多額であり、1919年度には1665万3418ポンドで支出補充金全体の48.74%、造艦関連支出の19.16%を占めるほどであった。燃料供給手数料がこのように多額になった原因は、バルト海や黒海における同盟国軍への石炭・石油の供給と、その供給にあたって定められていた市場価格の適性比率が廃止されたことにある²⁴⁾。以上、燃料供給を通した同盟国に対する戦争協力、あるいは戦争終結に伴う旧式艦の大量売却などに見られるように、イギリス海軍は第一次大戦中、戦後にかけて、手数料の徴収や財産売却の面において戦時需要を活用し、膨大に膨れ上がった戦費の捻出とその補填に支出補充金を充てることによって、実質的な節約を実現させたのである。

最後に、図6にて旧式艦売却額のみを取り出した造艦関連支出に対する比率を示す。

23) 1914～15年については、『海軍議定費決算書』に詳細な情報が記載されていないため受領金の内訳を分析することができなかった。

24) HCPP, *Navy, Appropriation Account, 1919–1920*, 1921, p. 33.

図6 造艦関連支出に占める旧式艦売却額の割合の推移（単位：％）

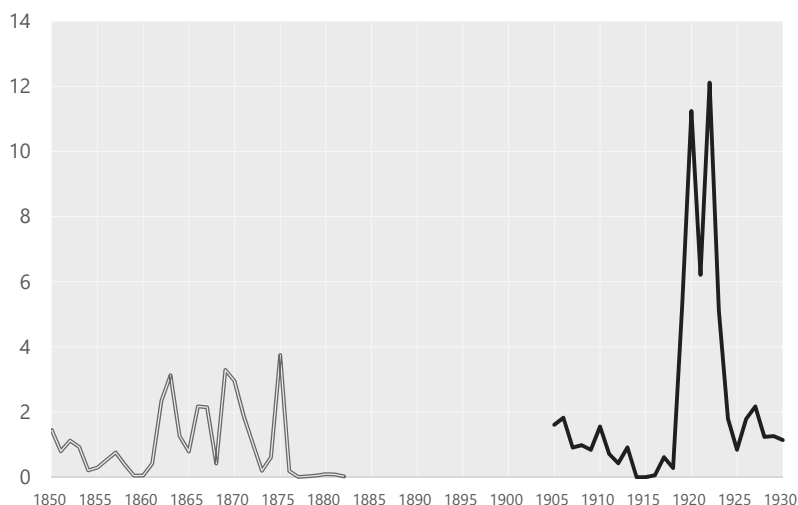


図6によれば、造艦関連支出に占める旧式艦売却額の割合は、1920～22年度の6～12%を除けば0～4%の幅に収まっていたことがわかる。19世紀末から第一次大戦にかけて、海軍費自体が膨張していたため、もし金額の変遷を見ればこの推移とは違った印象が得られるはずだが、割合を見る限りでは、旧式艦売却額はそれ単体でイギリス海軍にとって常に主要な節約策になっていたわけではなかった。すなわち、平時には古資材の売却や資材供給手数料、第一次大戦時および戦後には燃料供給手数料が、それぞれ造艦関連支出の節約にあたって主要な要素を構成した。そして旧式艦売却額は、フィッシャー改革期においては相対的に重要な節約策として、そして第一次大戦後においては量的・割合的にも燃料供給手数料とともに主要な節約策であったと結論づけられる。

3 旧式艦処分全体像

(1) データセットの選定

イギリス海軍における旧式艦処分の全体像を示すには、イギリス海軍の軍艦情報をなるべく網羅的に把握する必要がある。ただし、膨大な数の軍艦情報はさまざまな種類の一次史料に点在しており、時として相互に食い違うデータを考証した上で取捨選択せねばならないため、正確なデータセットを一人の研究者が構築することは不可能であるとも言われる²⁵⁾。広大な史料の海から情報をすくい上げ、網羅的で完全な旧式艦のデータベースを一人から構築することは、少なくとも本稿の課題ではない。むしろここでは、これまでイギリ

25) Winfield [2014] p. vii.

ス海軍史研究で活用されてきた複数のレファレンスブックを比較検討し、それぞれの編集方針やデータセットとしての長短を見極め、旧式艦の処分の様相を明らかにするのに有益なデータを組み合わせることによって、独自のデータベースを構築することとしたい。

1850～1930年におけるイギリス海軍軍艦の経歴を記載したデータセットのうち、今回検討したものは以下の4つである²⁶⁾。すなわち、① *Conway's All the World's Fighting Ships* シリーズの第1～2巻²⁷⁾、②リヨンDavid LyonとウィンフィールドRif Winfieldによる *The Sail & Steam Navy List*²⁸⁾、同書の後を継いだ③ウィンフィールド *British Warships in the Age of Sail 1817–1863*²⁹⁾、そして④カレッジJ. J. Colledgeの研究を増補改訂したワーロー Ben Warlowによる *Ships of the Royal Navy* の第3版である³⁰⁾。

①のシリーズは、19世紀半ばから20世紀末までの世界40カ国以上の海軍の軍艦情報を網羅的に集積し、時代や艦種ごとの技術的特徴についての解説を施した全5巻の資料集である。主要海軍以外をも扱うその網羅性から海軍力の国際比較を行うのに有効であり、同シリーズに依拠した研究は枚挙に暇がない³¹⁾。ただし、データの信頼性を保証する情報に関しては、第一線の研究者が編集に参加している事実にとどまり、その網羅性の代償として「すべての情報源を列挙することは不可能である³²⁾」との序文の記述は看過できない。

②・③リヨンおよびウィンフィールドによる一連の研究は、特に帆船時代のイギリス海軍軍艦のデータを詳細に扱ったレファレンスブックである。ウィンフィールドは、リヨンが中心となって2004年に出版した②の後を引き継ぎ、データの修正を行った上で18世紀以前の軍艦情報について大幅に追加した全4巻のシリーズを出版した³³⁾。③は、同シリーズの4巻目に該当し、1817～63年を扱っている。②および③は、イギリス海軍省史料180番（ADM 180）、すなわち軍艦の竣工から修理、処分に至るまでの記録を集約したプログレス・ブックを参照しており、個々の軍艦の経歴について事細かに記述しているため軍艦の伝記資料として有用である。ただし、本稿が対象とする期間のすべてを扱っているわけではない。

カレッジの研究を引き継いだワーローの功績により、④には15世紀から21世紀初頭に

26) 海軍力の国際比較を行ったマクロ政治学者のモデルスキGeorge Modelskiは、より多くの史資料群を挙げたが、本稿ではできるだけ刊行年が新しいデータセットを重視し、本論で言及した4つを検討するに至った。Modelski and Thompson [1988] p. 212, Table 8.3.

27) Chesneau, et al. [1979] ; Gardiner [1997] .

28) Lyon and Winfield [2004] .

29) Winfield [2014] .

30) Colledge and Warlow [2003] .

31) Crisher and Souva [2014] など。

32) Chesneau, et al. [1979] Foreward.

33) Michell [2015] .

至る1万8000隻のイギリス海軍軍艦のデータがアルファベット順に採録されている。記載されている情報は、艦名・艦種・等級・艦級・建造元・竣工年・寸法・備砲・装甲・トン数・推進源・船体の素材・経歴の概要・処分先などである。主な情報源は、上述のADM 180および、1815年から年に4回政府が刊行してきた*Navy List*である。同書における軍艦の経歴に関する情報は、②・③ほど子細ではないが概要を知るには有用である。ただし、行論で明らかになるように、データの欠損率がきわめて高い箇所もあるため分析には注意を要する。

①～④のデータセットの検討を踏まえ、本稿では分析対象の時期をすべてカバーしている④を基本とし、データの欠損などを補完するために適宜①～③を参照することとした。データベースに軍艦情報を採録するにあたっては、次の方針にしたがった。すなわち、(1) イギリス海軍が何らかの理由で所有権を失った年が1850～1930年の範囲に収まっていること、(2) イギリス植民地海軍が所有する軍艦でないこと（※イギリス海軍から譲渡された場合は採録）、(3) 竣工されたこと（※建造取りやめ・中止のものは除外）、(4) イギリス海軍の任務に就いたこと（※戦時に徴用された民用船や、戦闘能力を持たない船も採録）である。結果的に、3958隻の軍艦データベースを構築した。

(2) 旧式艦処分の内訳

まずは、旧式艦処分の内訳から概観する。表4左は、今回作成したデータベースに基づき、1850～1930年の間にイギリス海軍が軍艦の所有権を失った理由の内訳とその件数および割合を示したものであり、7割以上の軍艦が売却されたことがわかる。そこで表4右では、売却された2945隻の軍艦を対象に、可能な範囲で売却目的および転売目的を集計した。今回のデータベースでは、実に2627隻もの軍艦の売却目的の詳細が不明であるため、この点に関するデータの欠損率はきわめて高い（約89%）。

ただし、軍艦の処分方法として解撤が主であること、そして解撤を目的とした転売が見られたことは表4から総合的に読み取れる。これは、イギリス海軍による旧式艦処分に商機を見出した関連産業、すなわち船舶解撤業shipbreakerと船舶転売業shipbrokerの存在を示唆している³⁴⁾。

34) 19～20世紀のイギリス船舶解撤業の産業史的分析は、Bowen [1936] に始まり、White [1961] や Buxton [1983; 1992]、Buxton and Dalziel [1993]、あるいはTait and Tait [2016] などによって行われてきた。ただ、これらのほとんどが個々の企業に着目した社史であり、イギリス海軍にとっての旧式艦処分の意義を論じたものではない。

表4 イギリス海軍が軍艦の所有権を失った理由一覧および売却目的の詳細³⁵⁾

内訳	隻数	割合(%)	売却目的	転売目的	隻数
売却	2945	74.41	解撤		178
解撤	485	12.25	転売	解撤	65
沈没	309	7.81		詳細不明	33
難破	64	1.62		転売	3
譲渡	46	1.16		転用	3
改造	21	0.53	転用		36
大破	17	0.43	詳細不明		2627
座礁	10	0.25	計		2945
転売	4	0.10			
交換	3	0.08			
その他	54	1.36			
計	3958	100.00			

表5 旧式艦処分先の属性一覧

処分先	隻数
民間業者	1581
他国海軍	28
イギリス植民地海軍	15
他国政府	12
イギリス陸軍省	7
イギリス海軍工廠	4
イギリス植民地政府	3
イギリス商務省	1
詳細不明	1832
計	3483

これらの産業とイギリス海軍の関連についても少し検討しよう。表5は、旧式艦を自発的に処分したと定義できるもの、すなわち売却・解撤・譲渡・転売・交換に該当する3483隻のデータを抽出し、処分先の属性一覧を示したものである³⁶⁾。これによれば、詳細不明1832隻を除いては、ほとんどの旧式艦が民間業者によって処分されたことがわかる³⁷⁾。中でも主要な業者は、石炭・くず鉄の供給商として製鉄業者との関係を強化して船舶解撤拠点をイギリス各地に保有したT. W. Ward社（実績280隻）³⁸⁾、木造帆船時代の軍艦解体で財を築い

35) 「その他」の項目に含まれる理由は、リストから除外・返却・焼失・行方不明・売却リスト入り・遺棄・転覆・廃棄リスト入り・廃船化・拿捕・艦装解除・艦装があり、それぞれ10件未満である。

36) 海戦や自然現象といった外的要因に起因する軍艦の喪失、すなわち沈没や難破などの被害詳細については、本稿の主旨から外れるため関連研究に譲る。例えば、帆船および甲鉄艦時代にイギリス海軍が喪失した軍艦のデータセットを提供したHepper [2006] や、イギリスにおける民用船を含めた海難の歴史について金澤 [2013] などを参照のこと。

37) 処分先の属性に含まれる「他国海軍」も検討に値する。イギリス海軍にとっては旧式艦と判断された軍艦でも、他国海軍の練習艦や現役艦として活用された事例はいくつも見られた。例えば、1860年代の中国における太平天国の乱鎮定のために派艦された艦隊にも、イギリス海軍の木造艦が含まれていた(Wright [2001] pp. 15-20; 小風 [2018] 92頁)。このような軍艦のやり取りを通じた外交や軍事交流は武器移転の観点から興味深く、稿を改めて論じたい。

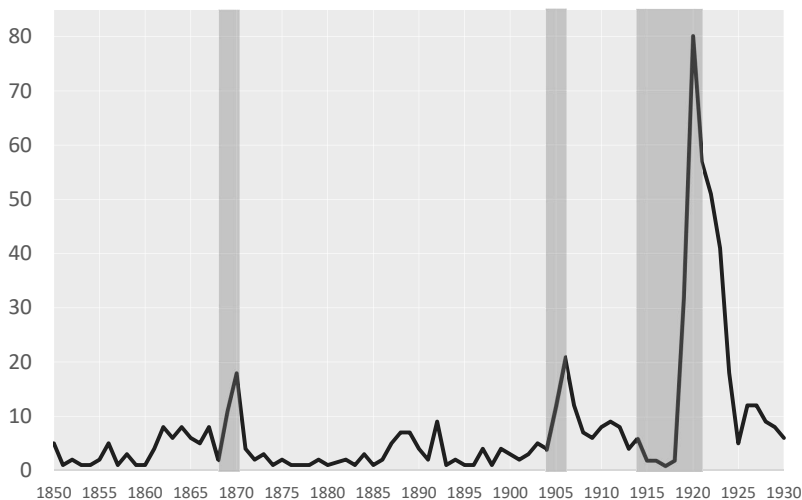
38) Buxton and Dalziel [1993] p. 3.

たCastle社（実績152隻）などがある³⁹⁾。

このような主要民間業者は、船舶解撤に必要な条件・設備を兼ね備えたプロフェッショナルであった。すなわち、船舶の建造工廠や廃材取引先の製鉄業者と地理的に近接することで船舶の輸送コストを減らしたり、解撤作業をしやすいよう船舶を浜に引き上げるに十分な潮の満ち引きがある作業場を有していたり⁴⁰⁾、鉄船や鋼船の船体を焼き切るために必要な酸素アセチレンバーナーを低コストで使うための酸素供給プラントを開発したりするなど⁴¹⁾、船舶解撤に適した環境を背景に高い廃材回収率を達成し、経営規模を拡大したのである。

他方、解撤や転売を通して旧式艦処分に関わった民間業者の大半は、イギリス海軍における技術革新や政策方針の変化の余沢にあずかった泡沫的な小企業であった。この点について、1850～1930年において各年に旧式艦処分に携わった業者・組織数の推移を示した図7から検討する。

図7 旧式艦の処分に携わった業者・組織数の時代的変遷



1870年、1906年、1920年にそれぞれ局所的増加が見られるが、これらはそれぞれイギリス海相チルダースHugh Childersの改革、第一本部長フィッシャーの改革、そして第一次大戦の終結に起因すると判断できる。というのも、横井が述べたようにチルダースおよび

39) Tait and Tait [2016] chaps. 5 & 11.

40) White [1961] pp. 1-3.

41) Bowen [1936] ; Buxton [1992] pp. 9-10.

フィッシャーによる海軍改革は、それぞれ主にフランスとドイツに対して高まる建艦競争の機運と緊縮財政を背景に、旧式艦の整理による維持費の削減と新鋭艦の導入を目的とした点で共通していたため⁴²⁾、これらの改革の影響が旧式艦処分の業者数を増加させたと考えるのが妥当だろう。最も注目すべきは、図7に示されている第一次大戦終結後の急増が、戦後の鉄需要に起因する解撤業者バブルを示していることである。戦中は、民用船も含めて航行できるほぼすべての船舶が徴用されて海軍の任務に就役していたため、船舶解撤業は実質的に休止状態となっていた。しかし、戦中から戦後にかけて製鋼工場で銑鉄や鉄鉋が不足して鉄需要が急増すると、イギリス海軍は不要になった艦船を薄利多売で処分し始めた。これを機に多くの解撤業者が参入したが、そのほとんどは船体の価値を最大限に活かすことができないアマチュア集団であった。すなわち、機器を構成する非鉄金属、救命ボートやウィンチなどの再利用可能な艤装品、あるいは家具や柵にリサイクルすることのできる木材の活用方法について、彼らは十分に知らなかったのである⁴³⁾。

ここまで見てきたように、イギリス海軍による旧式艦の売却は、それらを購入した民間業者が解撤や転売を通して収益を得、そして製鉄業者が解撤によって得られたくず鉄などの廃材を原料として用いるという、一種の産業循環を生み出していたのがわかる。ただし、これは上下関係の存在する循環であって、民間業者にとっては旧式艦がイギリス海軍から安定的に供給されることを期待できるわけではなかった⁴⁴⁾。このことは、図7が示すように第一次大戦中における旧式艦の処分実績が低調だったことから明らかである。にも関わらず、短命であっても民間業者がこぞって解撤業に乗り出すほどに、技術の粋を集めた軍艦は資材の宝庫だったと言えよう。そして何より、船舶解撤業を始めとする周辺産業の存在によってこそ、旧式艦は改めて価値を見出され、軍艦を構成していたそれぞれの資材が新しく生まれ変わっていったのである。

（3）艦種別にみる旧式艦の処分

次は、艦種の別に注目して旧式艦の処分の様相を明らかにする。表6は、1850～1930年における処分隻数とトン数を艦種別に整理したものである⁴⁵⁾。トン数が複数表示されているのは、艦種や年代によって測定基準が異なり、単純に合算することは不適當だからで

42) 横井 [2004] 92-98 頁。

43) Buxton [1983] p. 152.

44) もちろん、船舶解撤業者も軍艦だけではなく民用船の解撤を扱って収益を得ていた。1920年代後半から一大船舶解撤業者となったMetal Industriesの社史を見れば、同社による民用船解撤の実績が非常に多いことがわかる。Buxton [1992] pp. 61-100.

45) 艦種の分類にあたっては、Chesneau, et al. [1979] pp. 1-113とGardiner [1997] pp. 1-104を参照した。

ある⁴⁶⁾。総トン数が民用船の測定基準であるのに対して、トン数 (bm) と排水トン数は軍艦の測定基準である⁴⁷⁾。bmはBuilder's Measurementの略で、トン数 (bm) は1873年まで使用されていたが、造船業者独自の基準を統一するために、それ以降は排水トン数に取って代わられた⁴⁸⁾。表6において総トン数記載のある水上機母艦が存在するのは、民用船が戦時に徴用されたことを示している。なお前節の表5で示した処分隻数3483よりも3隻少ないデータとなっているが、これは3隻分の処分年が不明であることから、表作成にあたって欠損値として除外したことによる。

表6 艦種別処分隻数およびトン数（測定基準別）

艦種	処分隻数	トン数(bm)	排水トン数	総トン数
主力艦	255	402,273	1,274,017	
水上機母艦	7		6,020	6,734
巡洋艦	651	445,247	1,004,791	
砲艦	612	112,385	220,442	
水雷艇	167		13,125	
駆逐艦	380		303,635	
潜水艦	159		96,613	
小型水上艦艇	312	4,099	242,767	
特務艦艇	856	34,942	138,817	130,538
その他	81	25,855	42,513	7,465
計	3480	1,024,801	3,342,740	144,737

表6から読み取れることを整理する。まず、主力艦の処分隻数が255と比較的少ないものの、排水トン数の合計が120万トン超と圧倒的に大きい。本稿が対象とする1850年代以降の主力艦は、小野塚が示したように大砲や装甲板の進化、機関技術や推進器の発展によって大型化・高速化の一途をたどっており⁴⁹⁾、このことが一隻一隻の巨大さに現れている。一方で、処分隻数が856と最も多い特務艦艇は、戦時に徴用された民用船や沿岸警備のための小型船舶、掃海用のトロール船などから構成される艦種であるため⁵⁰⁾、サイズの

46) Buxton, et al. [2015] p. 305.

47) トン数 (bm) は船体の寸法に基づいて積載荷重を算出した単位であり、総トン数の測定方法の前身とみなされる (Winfield [2014] p. XVIII)。排水トン数は船を海面に浮かべた際に排除される水の重量に等しい (上野 [1962] 285-286頁)。

48) Colledge and Warlow [2003] p. ix.

49) 小野塚 [2014] 169-176頁。

50) Gardiner [1997] pp. 101-104.

小ささがトン数の少なさに現れている。表6の中で最もトン数（bm）および排水トン数の大きい主力艦と巡洋艦については、イギリス海軍における技術革新の変化がよく現れていることが推察される。そこで、次節ではそれぞれの艦種の時代的変遷を検討するために、主力艦は「戦列艦」、「装甲艦」、「戦艦」、「巡洋戦艦」、巡洋艦は「帆走巡洋艦」、「機帆走巡洋艦」、「装甲巡洋艦」と分けて分析する。

しかしその前に、すべての艦種を対象に処分の時代的変遷を把握しておく。すでに図7の分析において、1870年頃のチルダース改革、1905年頃のフィッシャー改革、そして1920年頃の第一次大戦終結に伴う局所的増加が見られたが、これらの要因は艦種別の処分にどの程度影響を与えたのだろうか。

図8 全艦種の処分隻数（1年ごと）および艦種別処分隻数（5年ごとの合計）の推移

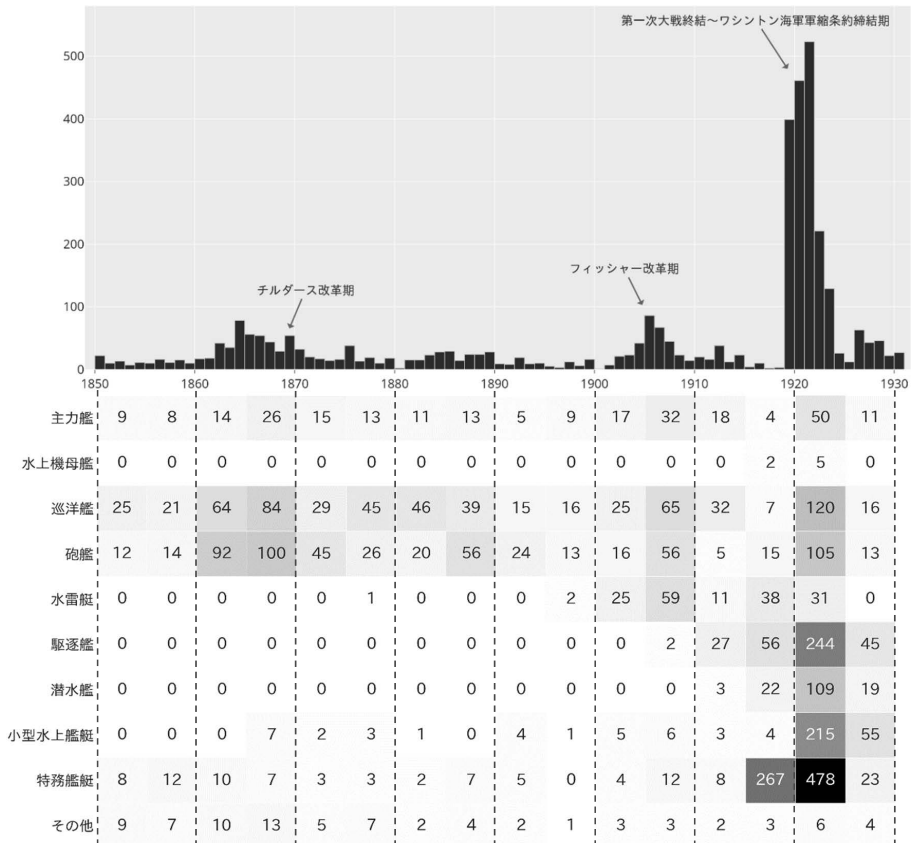


図8上は、1850～1930年における旧式艦処分隻数を示した棒グラフ、図8下は、艦種別の処分隻数(左記区間における5年ごとの合計。ただし、紙幅の都合上1930年分を除く)

をグレースケールの濃淡付きで示したヒートマップである⁵¹⁾。ヒートマップの中で最も黒く塗りつぶされている478隻と記載のあるセルは、1920～1924年の5年間における特務艦艇の処分隻数合計が478隻であることを示しており、図8上を併せて参照することにより、第一次大戦終結に伴って掃海艇などの特務艦艇が最も多く処分されたことがわかるようになっている。このように見ていくと、1905年のフィッシャー改革の柱となったドレッドノート級をはじめとする戦艦への対抗策として開発された潜水艦や駆逐艦⁵²⁾、監視艇や掃海艇などの小型水上艦艇や特務艦艇が、第一次大戦終結に伴って多く処分されたことがわかる。

一方、主力艦・巡洋艦・砲艦は全期間を通して比較的まんべんなく処分されていたことが示されている。処分隻数の推移を見ると、1860年代に巡洋艦や砲艦が比較的多く処分されている。1858年にナポレオン三世治下のフランス海軍が建造した世界初の蒸気装甲艦グロワール号 *La Gloire* が進水したことに伴う衝撃や⁵³⁾、海外ステーションにおける木造旧式艦の大幅削減を柱としたチルダース改革が⁵⁴⁾、イギリス海軍の軍艦編成に影響を与えたとすれば、それは1860年代における巡洋艦148隻および砲艦192隻という、各艦種の総数から見て大きい割合（それぞれ22.73%、31.37%）の処分隻数に現れたと見てよい。

1905年のフィッシャー改革の影響が全艦種の中で特に顕著に現れたのは、32隻（同艦種総処分数の12.55%）が処分された主力艦、65隻（同9.98%）が処分された巡洋艦と、59隻（同35.33%）が処分された水雷艇である。フィッシャーはとにかく効率性を追求した人物であった⁵⁵⁾。1904年に海軍軍人の最高位である第一本部長に就任したフィッシャーは、その就任当日に、かねてより非公式の有識者組織「五人委員会 Committee of Five」としたためていた計画を『海軍に不可欠なこと *Naval Necessities*』と題する文書にまとめ、海軍省内で回覧した。そこには計画立案に至るさまざまな覚書が残されており、フィッシャーの意気込みが窺える。

徹底的な改革が必要であることを示す例を挙げよう。1904年6月30日（つい先月のことだ！）までの12ヶ月間で、本国艦隊と海峡艦隊、そして巡洋艦隊の軍艦は、ポー

51) ヒートマップの作成にあたっては Dale [2017] pp. 307–308 を参照した。

52) 小野塚 [2003] 26–27 頁。

53) Grove [2005] pp. 39–41; 細谷 [2006] 148–149 頁。

54) 横井 [2004] 92 頁。

55) ドレッドノート期における「効率性」と「有効性」の文化的構築について論じたスミス Crosbie Smith は、フィッシャーの効率性を追求する姿勢がプロテスタントとしての信仰心に起因するとしている。Smith [2011] pp. 158–159。

ツマス海軍工廠で1年の30%以上を過ごしていたのだ！分解されていて洋上任務に出られない状態にあるのだ！何が言いたいかわかるか！戦艦一隻を1年間維持するのには、修理するかどうかに関わらず、10万ポンド以上の費用がかかる。しかしこれは資金を無駄にしているのではない！効率性を無駄にしているのだ！⁵⁶⁾

フィッシャーにとって、有事には戦力にならないような軍艦が貴重な停泊スペースを使って維持・修繕を必要とすることは許せなかったのである⁵⁷⁾。フィッシャーが軍艦の効率性の有無を判断する基準として重視したのは航行速度であった。すなわち、戦艦は21ノット以上、装甲巡洋艦は25.5ノット以上、駆逐艦は36ノット以上、そして潜水艦は海面航行速度14ノット以上という基準を旧式艦の処分の目安としたのである⁵⁸⁾。フィッシャー改革当時、主に兵器の発展によって水雷艇は駆逐艦と潜水艦に役目を取って代わられていたため⁵⁹⁾、フィッシャーの計画では速度の出ない水雷艇は建造年の古い順から80隻が「迅速に処分すべし」とされた⁶⁰⁾。このように、第一次大戦を除けばフィッシャー改革期は最も大量に旧式艦が処分された時期であって、そこにはフィッシャー個人の精力的な働きかけが影響していたと推測される。

旧式艦処分の観点から第一次大戦終結とともに注目すべきは、1922年2月に批准されたワシントン海軍軍縮条約である。アメリカ・イギリス・日本・フランス・イタリア5カ国の海軍軍備制限を定めた同条約では、当時の三大海軍国であるアメリカ・イギリス・日本の主力艦（巡洋戦艦・水上機母艦を含む）の保有比率について、軍艦の排水トン数に基づき5:5:3とした。この比率目標を達成するために、進行中の新艦建造計画をすべて廃棄するとともに、旧式艦の処分をもって主力艦の規模を縮小し、イギリス海軍にあってはアメリカ海軍と同水準の52万5000トンに主力艦の合計排水トン数を収めることで合意が取り付けられた⁶¹⁾。この合意の結果は、図8下ヒートマップにおける1920～1924年の主力艦セルに示された処分合計隻数50（同艦種総処分数に対して最大の19.61%）に端的に現れている。この時期に処分された主力艦および水上機母艦のトン数をまとめた表7によれば、排水トン数の合計に限って言うと74万9871トンにのぼる大規模な主力艦・水上機母艦の処分が行われたことになる。

56) Kemp [1960] p. 19.

57) Marder [1940] p. 489; Kemp [1960] p. 36.

58) Marder [1940] p. 490; Kemp [1960] pp. 27–30.

59) Chesneau, et al. [1979] pp. 86–87.

60) Kemp [1960] pp. 38–40.

61) 西川 [2014] 38–41頁。

表7 1920～1924年における主力艦・水上機母艦の処分トン数

年	1920	1921	1922	1923	1924
主力艦					
－トン(bm)		10,167	4,270	3,322	4,000
－排水トン	213,300	298,300	165,400	37850	26,350
水上機母艦					
－総トン	6,131				
－排水トン	2,950	3,070		2,651	

(4) 主力艦・巡洋艦の処分に見るイギリス海軍における旧式艦の扱い

続いて、前節で示した表6の中で最もトン数の大きかった主力艦と巡洋艦のスペックに注目し、より詳しく旧式艦処分の時代的傾向を見ることで、イギリス海軍における旧式艦の扱い方を明らかにしていきたい。19世紀後半から20世紀初頭にかけてイギリス海軍事情に精通したジャーナリストとして活躍し、全7巻の通史を著したクロウズ William Clowes は⁶²⁾、次のように述べている。

1867年時点で最高の船は、1857年に存在したイギリス海軍軍艦をすべて合わせたよりも優れていただろうし、また同じように、1877年時点で最高の船は、たった10年前に建造されたすべての軍艦を合わせたものに対して、まったく同じとは言わずとも戦闘および撃退能力においてほぼ等しかった。1890年までに、1877年製の軍艦はすでにほぼ時代遅れとなり、また1900年までには、1890年製の最も優れた軍艦であっても、海軍の二流軍艦としての地位を占める価値は無きに等しかった。1900年の終わりまでに、1890年製の優れた巡洋艦は、相対的に重要でない海外ステーションへと配備されてしまったのである⁶³⁾

この引用から導かれる仮説的命題として、「時代が下るにつれて造船・軍事技術が進歩し、それを反映した新型艦が就役することに伴い旧式艦は淘汰されていった」と指定できるが、この命題を検証することによって本論を締めたい。

そこで、主力艦と巡洋艦に焦点を絞って、年代と処分時の艦齢の関係を掘り下げる⁶⁴⁾。

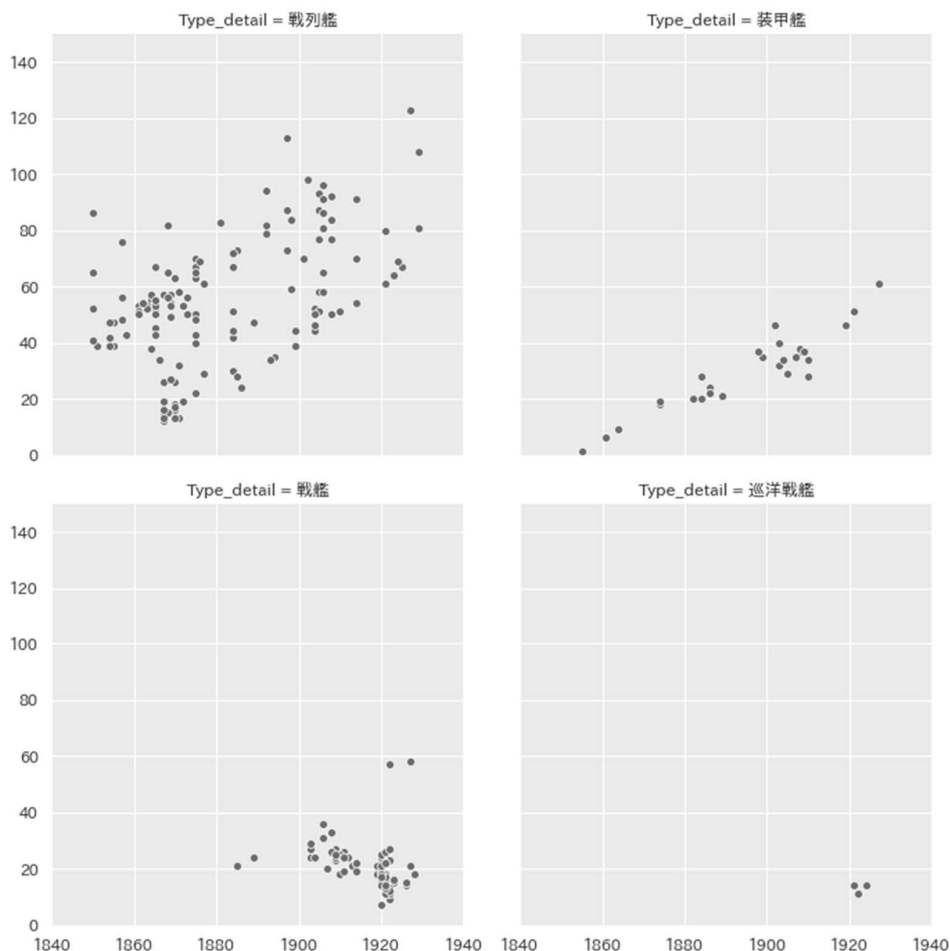
62) Fryer [2004] .

63) Clowes [1903] p. 68.

64) 艦齢の算出方法については、進水を基準とする場合もあるが(上野[1962]243頁)、今回は作成したデータセットの元となった Colledge and Warlow [2003] の記載が竣工年ベースであったため、(艦齢) = (処

まず図9は、主力艦を4つに分類して、スペックごとに処分年と艦齢の関係を散布図（横軸は処分年、縦軸が処分時の艦齢、1ドットは1隻を表す）で示したものである。

図9 主力艦の4分類と処分年・艦齢の関係



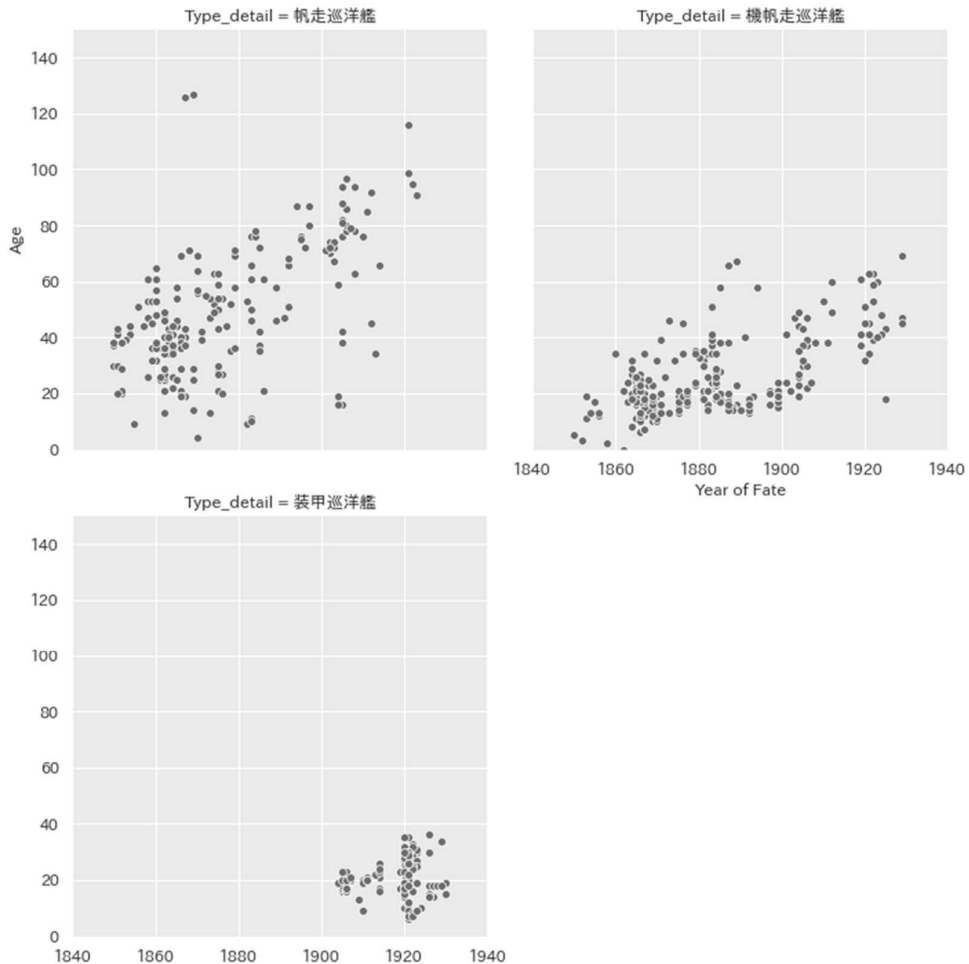
各スペックを大別すると、戦列艦の多くは木造、装甲艦以降は鉄製あるいは鋼製の装甲板を備えているか船体が鉄鋼製の軍艦である。続いて図10も、巡洋艦を3つに細分化して、同じくスペックごとに処分年と艦齢の関係を示したものである。巡洋艦のスペック分類は基本的に船の推進源で分けられているが、帆走・機帆走巡洋艦の多くが木造帆船あるいは木鉄船、装甲巡洋艦になると純汽船であることが多い⁶⁵⁾。図9・10によれば、ほとんどの

分年) - (竣工年) と算出した。

65) 主力艦・巡洋艦のスペック分類については Winfield [2014] を参考にした。

戦艦や巡洋戦艦、そして装甲巡洋艦が、1900～1920年を中心に艦齢20～40歳で処分されていたことが示されている。

図10 巡洋艦の3分類と処分年・艦齢の関係



一方で、艦種別の艦齢分布に関して、図9・10ともに軍艦のスペックが上がるにつれて処分時の艦齢の最大値が徐々に低くなっていることは注目に値する。すなわち、今回の分析対象に限って言えば、戦列艦や帆走巡洋艦といった木造帆船の方が、処分されるまでの時間が相対的に長い傾向にあったと仮定できるのである。この傾向は、イギリス海軍における技術との向き合い方をよく示しているように思われる。そもそも19世紀後半は軍艦の動力として蒸気機関が導入され、しばしば「鉄と蒸気の時代」と呼ばれることはあつ

ても、帆走に比べて汽走は燃料コストがかさんだことから⁶⁶⁾、全体としては帆船（純帆船および機帆船）優位の時代であった⁶⁷⁾。実際、ドレッドノート級が開発された1905年まで支配的だった考えは、時代遅れの旧式艦であっても本国から遠く離れた海域のステーションにおける平時の任務は十分に遂行できるため、無理に新技術を導入する必要はないというものであった⁶⁸⁾。また、前節で述べたように特に主力艦が年々巨大化していったことから、軍艦の維持コスト削減のためには巨大な軍艦を処分の方が効果的であり、木造帆船を優先的に処分する動機が存在しなかったことが、木造帆船の艦齢の高さの主要因であると考えられる。

ただし、木造帆船が長持ちしたのもまた一つの要因であると考えられる。図9・10における主力艦や巡洋艦の木造船、すなわち戦列艦や帆走巡洋艦の処分時の艦齢に着目してみると、100歳前後の長寿軍艦を見て取ることができる。例えば、1902年に艦齢98歳で売却された1等戦列艦ハイバーニア号HMS Hiberniaは、1804年に建造費8万8800ポンド（艤装費込み）を投じてプリマス海軍工廠で竣工され、本国海域やポルトガル沖、地中海などで旗艦として就役したのち、1819～25年の間に大規模な再艤装を施された。これにより、当時としては最新鋭の32ポンド砲を114門搭載する軍艦として生まれ変わった結果、マルタのイギリス海軍ステーションにて20世紀初頭まで様々な海軍少将の指揮する旗艦として活躍した。その生涯で修理や再艤装にかかった費用の合計は12万1999ポンドであったのに対し、1902年10月14日にマルタで行われた競売での落札価格は実に1010ポンドにすぎなかった⁶⁹⁾。多額の建造・艤装・修繕コストと華やかなキャリアに比べて、軍艦の去り際はかくも物寂しいが、よく手入れされて艦齢100歳前後まで永らえたのは木造帆船の際立った特徴の一つである。

一方、特に20世紀以降に建造された戦艦の多くは、止めどない技術革新の波にさらわれた利根的な存在であった。1906年にポーツマス海軍工廠で竣工され、軍艦の歴史に名を残す全主砲高速戦艦ドレッドノート号HMS Dreadnoughtは、その登場により既存の軍艦を前時代の代物にした。しかし、排水トン数1万8000トン強、主砲口径12インチに射撃統制機能を備えたドレッドノート号も、建艦技術の進化から逃れることはできなかった。第一次大戦中に軽微な改良が施され、1915年にはドイツの潜水艦U29号を沈没させるなど戦艦として唯一無二の戦果を残すことはできたものの、20年には艦齢わずか14歳で売

66) Graham [1956] pp. 82–88.

67) 小野塚 [2003] 20頁。

68) Ashworth [1969] pp. 502–504; ムロイ [2006] 85–86頁。

69) Winfield [2014] pp. 7–8.

却リスト入りし、船舶解撤業者のWard社に引き取られた。しかも、23年までドレッドノート号は解撤ヤードに移動することすら忘れられてしまっており、その登場とは比べものにならないほどひっそりとした最期であった。その頃までには主力艦の水準は、主砲口径16インチ、排水トン数4万5000トンとなっており、ドレッドノート号もまた前時代の代物となってしまうのである⁷⁰⁾。これらの軍艦の生涯を見ても、実用的な観点から言えば、イギリス海軍における技術革新の影響を大きく受けて新陳代謝が盛んに見られたのは、純帆走の木造艦というよりは、むしろ純汽走の装甲艦などの比較的新しい軍艦であったと言える。

このような実用的な観点以外にも、旧式艦には文化的・象徴的な意味合いがある。例えば、1817年にボンベイ海軍工廠で竣工された5等戦列艦トリンコマリー号HMS Trincomaleeは、北米や西インド海域あるいは太平洋で就役したのち、61年に海軍予備隊の訓練船となり、97年には売却された⁷¹⁾。売却当初は、ポーツマスの船舶解撤業者リードReadによって解撤が開始されたが、炭鉱所有者で慈善事業家のコブGeoffrey Cobbが購入し、貧困層の少年が海兵あるいは水兵として入隊するための訓練船として再活用されることとなった⁷²⁾。第二次大戦の際にはイギリス海軍の倉庫として使用され、爆撃を受けるも1987年まで再び訓練船として用いられた。1990年にはダラムカウンティのハートルプールにおいて、トリンコマリー号財団HMS Trincomalee Trustによって建造当初の状態まで修繕する計画が始められ、2001年4月に完了して観光客を集めている⁷³⁾。このような歴史的軍艦の保全や展示といった事業の根底に窺えるのは、ナショナリズムに働きかける心性である⁷⁴⁾。トリンコマリー号の他にも、イギリスでは地方自治体、民間財団などさまざまな組織が歴史的軍艦の保全事業に資金を投じ、海とともにある国民としての「マリタイム・ブリテンMaritime Britain」のアイデンティティ涵養に寄与している⁷⁵⁾。

70) Gardiner [1997] pp. 21–22; Grove [2011] pp. 165–166, 180–181.

71) Winfield [2014] p. 152.

72) Bellamy [2011] pp. 346, 359.

73) Brown [2016] pp. 34–35.

74) Bellamy [2011] p. 344.

75) 金澤 [2013] 5–6頁。

図 11 現在のトリンコマリー号⁷⁶⁾



今回の分析対象期間における主力艦・巡洋艦の処分の傾向を見るに、戦艦や装甲巡洋艦などの新型艦は艦齢40歳以下で処分されることがほとんどであり、軍艦の新陳代謝が盛んに行われていた。一方で、戦列艦や帆走巡洋艦といった木造艦は時には100歳以上で処分されるなど、竣工から処分までの期間が相対的に長いことがわかった。加えて、このような木造艦は、処分されるまでの間に再艤装を施されたり練習艦として転用されたりするなど、軍艦としての第二・第三のキャリアを歩んだほか、一部は修繕の上展示されて現在に至るなど、海とともに生きるイギリス国民のアイデンティティを育むための文化的役割を担っているのである。

4 おわりに

本稿では、1850～1930年のイギリス海軍における旧式艦の処分について、大きくわけて二つの成果が得られた。まず、イギリス海軍費に占める旧式艦売却額の位置づけと造艦関連支出に対する節約効果の解明である。当該期間において旧式艦の売却額は、イギリス海軍が保有する財産の売却額として、1881年度までは臨時受領金として国庫に納付され、それ以降は支出補充金として海軍予算に上乗せして支出された。節約効果が比較的大きかったのは、フィッシャー改革期および第一次大戦後であり、その他の時期については古資材売却額や資材あるいは燃料供給にかかる手数料が重要な収入源であったことが明ら

76) HMS Trincomalee, by Chris Armstrong, 2014, *National Historic Ships UK*, <https://www.nationalhistoricships.org.uk/register/497/hms-trincomalee> (2019年3月27日閲覧)

かになった。次に、旧式艦処分の全体像については、4000隻弱の軍艦データベースに基づくマクロな視点からの統計分析により、海軍政策の大きな変化とそれに伴う派生的論点が浮かび上がった。すなわち、チルダースおよびフィッシャー改革、第一次大戦終結とワシントン海軍軍縮条約締結といった各ターニングポイントにおいて、旧式艦として重点的に処分された艦種が明らかになるとともに、船舶解撤や転売という形で処分に携わった民間業者の活動の一端が窺えた。と同時に、個々の軍艦の生涯に着目するミクロな視点からの質的分析を織り交ぜることで、「時代が下るにつれて造船・軍事技術が進歩し、それを反映した新型艦が就役することに伴い旧式艦は淘汰されていった」という命題が発展的に修正されることとなった。すなわち、技術革新の影響を大きく受けたのはむしろ19世紀末以降に建造された比較的新しい軍艦であり、旧式艦の代名詞とされてきた木造帆船は、度重なる修繕を経て新しいキャリアを歩むことがあったほか、一部は現在もなお展示されて文化的象徴としての役割を引き受けているのである。

一方で、展望的な課題も残っている。例えば、ADM 180などの一次史料を用いた軍艦データベースの批判的な改良、旧式艦処分の一手段としての他国海軍への売却とその外交史的意義や、紙幅の都合上、詳細に分析できなかった船舶解撤業者とくず鉄を中心とした産業循環などである⁷⁷⁾。これらについては別稿を期したい。

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追記

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書評

渡辺昭一編著『冷戦変容期の国際開発援助とアジア——一九六〇年代を問う——』（ミネルヴァ書房、2017年）

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本書は、いわば「国際政治経済史」とでも呼称すべき領域の作品である。本書に収録された諸章は、主として外交資料に基づきつつ、極めて歴史的かつ実証的な手法で、1960年代におけるアジアの開発援助をめぐる諸問題を様々に論じており、モノグラフの集成としても非常に価値がある。しかしながら、本書評では、本書全体から受け取れるメッセージをできるだけ抽出し、「アジア経済史」の視角から論評を試みることで責めを塞ぐことにしたい。

本書を執筆した研究グループは、既に共同研究の成果を『コロンボ・プラン』の刊行を通して、世に問うている¹⁾。本書は、その続編と言ってよい。本書は、前著に比べると分析の枠組みが明確化した点に特徴がある。序章「欧米の対アジア開発援助の展開」（渡辺昭一）では、「帝国の論理」、「冷戦の論理」、そして「自立化の論理」という三つの論理が分析の枠組みとして提起されている。それによると、「帝国の論理」とは主にイギリスによる覇権維持のための努力を指し、「冷戦の論理」とはアメリカによるソ連・中国に対する対抗戦略を意味し、さらに「自立化の論理」とはアジア諸国の政治的・経済的ナショナリズムの動きを表している。かかる三つの論理に加えて、日本やオーストラリアなどの地域の要因、さらには世界銀行・インド援助コンソーシアム・エカフェ（ECAFE）などの国際機関という要因も組み合わされて、重層的な把握が試みられている。

本書は、序章を除くと、南アジア・東南アジア・東アジアの地域別の三部構成が採られている。以下、私の理解に引きつけて概要を紹介する。南アジアに関しては、まず初めに「帝国の論理」の帰趨が明らかにされている。すなわち、1960年代後半にアフリカにおける植民地を喪失したイギリスは、インドに対する開発援助に集中したが、実態は「戦略」のない場当たりの対応に終始したものに他ならず、要するに「帝国の論理」は全く体をなさなかった²⁾。他方、インドは、ソ連の軍事援助などを積極的に受け入れつつ、イギリスをはじめとする西側の援助とのバランスを取った。「冷戦の論理」の狭間で半ば漁夫の

1) 渡辺昭一編 [2014] 『コロンボ・プラン—戦後アジア国際秩序の形成』法政大学出版会。評者による書評が、『西洋史学』267号（本年刊行予定）に掲載される予定。

2) 第1章「帝国解体期イギリス援助の変容」（前川一郎）。

利を得つつ、とりあえず「自立化の論理」が貫徹したことになる³⁾。しかしながら、このようなインド側の「自立化の論理」の追求が払った代償が決して小さいものではなかった。インドに対する開発援助は、1960年代になるとイギリス主導であった「コロambo・プラン」の枠組みから、世界銀行中心の「インド援助コンソーシアム」枠組みへと変化した⁴⁾が、そのなかで露呈したのは、インドの債務返済における困難化の問題であった⁴⁾。

東南アジアに関しても、「帝国の論理」の帰趨が明らかにされている。1950年代のマレーシアにおいて、イギリスはマラヤ大学の設立によってマレー人・華人・インド人の民族統合を意図したが、これは自らの影響力の維持を狙った「帝国の論理」に他ならなかった。しかしながら、結局のところ民族間の対立、すなわち「自立化の論理」の副産物によってイギリスの意図は挫折した⁵⁾。1960年代の半ばまでは緊密な関係を維持していたイギリスとマレーシアの関係はその後、援助をめぐる次第に軋みが目立つようになった。イギリス主導の「マレーシア構想」は1965年のシンガポールの離脱によって頓挫し、イギリスはマレー人が主導するマレーシア、そして華人が多数派を占めるシンガポールとの間で、いわば股裂き状態となった。ここでもまた、「帝国の論理」は、民族間の対立という「自立化の論理」の副産物によって挫折したのである。その後、マレーシアは援助および貿易の主たる相手先をアジア太平洋経済圏の方向に求めていくことになり、とりわけ日本との関係が緊密になっていったという⁶⁾。

インドネシアに関しては、本書の分析の枠組みとなっている三つの論理とは異なる「地域の論理」（評者の言葉）の問題が明らかにされている⁷⁾。すなわち、1960年代のインドネシアに対する開発援助へのオーストラリアの関与の問題が取り上げられている。オーストラリアは、この時期、かつての白豪主義から脱して、近隣の東南アジア地域へのコミットメントを強めていった。インドネシアの1960年代は、マレーシアとの対立、そしてスカルノ時代からスハルト時代への移行などの動乱の時代であったが、オーストラリアは、その国家的出自に関わるイギリスとの関係、および次第に結びつきを強めていたアメリカとの関係の両者から相対的に自立した援助政策を展開していった。なお、19世紀に独立を保ったタイは、冷戦期の地政学的状況もあって1950年代以降にアメリカとの結びつきを

3) 第2章「インドの軍事主導型重工業化と国際支援」（横井勝彦）。

4) 第3章「一九六〇年代の開発援助とインド援助コンソーシアム—開発から債務救済へ」（渡辺昭一）。

5) 第4章「開発援助としての教育政策—マラヤ・東アフリカの大学支援とその帰結」（都丸潤子）。

6) 第5章「アジア太平洋経済圏の胎動と援助をめぐる攻防」（佐藤滋）。

7) 第6章「援助の墓場—一九六〇年代オーストラリア—インドネシア関係の前提」（木畑洋一）；第7章「オーストラリアとアジア新国際秩序の形成—一九六〇〜七〇年代の対インドネシア食糧援助」（ピエール・ファン・デル・エング）。

強めたが、依然としてタイ側の主体性、すなわち「自立化の論理」を貫徹した。そのことは、1950年代にアメリカがタイに対して行った援助の一種である「稲品種改良プログラム」が、タイ版の香米「ジャスミンライス」の創造につながった経緯のなかで示されているという⁸⁾。

東アジアに関しては、台湾・韓国の事例では、もっぱら「冷戦の論理」に基づくアメリカの援助政策が論じられている⁹⁾。ここでは、もっぱら韓国の事例を取り上げるが、1960年代に韓国が朴正熙政権の下で推進した経済体制（輸出志向工業化）を、「国家主導型発展モデル」あるいは「開発独裁体制」と認定しつつ、アメリカの冷戦政策の文脈のなかに位置づける試みがなされている。そこで明らかとなるのは、1960年代半ば以降、ベトナム戦争がエスカレートするなかで、かつまた北朝鮮との緊迫した軍事的状況のなかで、ベトナムへの韓国軍の派兵によって、アメリカから軍事および経済の援助を引き出した朴正熙政権の姿である。ここでは、従属しつつも「自立化の論理」が明らかに貫徹していた。他方、同じ時期に日本は、アジア諸国とどのように向き合おうとしていたのか。1960年代半ばに、日本の援助政策は「政治の時代」から「経済の時代」へと大きく転換した。要するに、日本の援助は、1960年代の前半（池田政権）までは「賠償」という政治的な性格を色濃く帯びていたが、1960年代の後半（佐藤政権）には文字通り「開発援助」として経済的な性格を強めた¹⁰⁾。ところで、1960年代のエカフェ（国連アジア極東経済委員会）において、アジアの工業化戦略をめぐる対立した二つの構想が存在した。一つは「地域輸入代替工業化」構想であり、もう一つは「輸出志向工業化」構想であった。前者はインドを中心とした南アジアが支持する路線であり、後者は東南アジアおよび北東アジアの路線であったが、結果的には後者が有力となり、いわゆる「アジアNIEsの登場へ」とつながった経緯が明らかにされている¹¹⁾。ちなみに、このような日本の動きとエカフェ内の動向は、ほぼ連動していたとも解釈できる。先述のオーストラリアの事例と同様に、「地域の論理」の発動と解釈できるかもしれない。

以上は、かなり強引な内容紹介であるが、それを踏まえて本書の学術的な意義を指摘しておきたい。本書で扱われている時代と主題は、これまで主に国際経済や開発経済の領域において現状分析的な研究の延長線上で捉えられてきた。しかしながら、本書は、史料批判や先行研究に対する綿密な検討に基づく歴史研究の作品として、わが国ではほとんど初

8) 第8章「アメリカ合衆国の経済援助とタイー「稲品種改良プログラム」からみた援助と自立」（宮田敏之）。

9) 第9章「アメリカ合衆国の援助と台湾ー経済自立化の途を辿って」（李為楨）；第10章「アメリカ合衆国の対韓援助政策と朴正熙政権の対応ー1964年～1970年代初頭」（菅英輝）。

10) 第11章「1960年代における日本の援助とアジア国際秩序ー戦後処理と冷戦の影」（宮城大蔵）。

11) 第12章「エカフェとアジアの工業化戦略ー地域経済協力構想を手掛かりに」（山口育人）。

の試みであると高く評価しうる。加えて、本書の執筆陣の多くは、基本的にイギリス帝国史に関心を寄せる研究者であるため、新たな視野をもたらしたことも指摘しうる。新たな視野として、二点を挙げる。第一にイギリス帝国史の文脈を導入することで長期的な視野をもたらしたこと（時間軸の拡張）、第二にアジアにおけるイギリス帝国の拠点だった南アジアを重視したこと（空間軸の拡張）、という二つの点でそのように言える。

そのことによって、次のような歴史像が浮かび上がってきたことに大きな意義があると考ええる。アジアにおける「開発援助」の焦点が、南アジアから東南アジアへ、さらには東アジアへと移行したという展開である¹²⁾。こうした焦点の移動をもたらしたのは、本書が示すところでは、イギリスによる「帝国の論理」の後退とともに、東南アジアおよび東アジアにおける「冷戦の論理」と「自立化の論理」の交錯に他ならなかった。さらに、実質的に本書で示されているように、オーストラリアや日本の関与といった「地域の論理」（評者の表現）といった要因の影響も大きかった。何れにしても、本書の貢献は、こうした歴史的展開の大きな筋を、政治・外交の諸要因と経済の諸要因を両睨みにして、実証的に明らかにした点にあると言える。

では、アジア経済史の視角から、このような歴史像に対して何が言えるのであろうか。評者の提起したいのは、＜南アジア→東南アジア→東アジア＞という「開発援助」の焦点の移動は、実は経済発展の論理におけるパラダイム・チェンジにほぼ対応していたのではないかという仮説である。それは、「開発計画」のパラダイムから、「貿易」のパラダイムへの移行と表現することができる。評者の言う「開発計画」のパラダイムとは、インドにおいて、1950年代から1970年代にかけて、典型的な輸入代替工業化戦略として採られた政策レジームのことを指す。これは、「自立」という脱植民地化のイデオロギーに加えて、社会主義の影響もあったがゆえに、市場に対する不信に基づきつつ「開発計画」へと傾く経済体制であった。外交的には非同盟主義（「冷戦の論理」への反発）とともに、ソ連との関わりを強めたことも効いていた。

他方、その対極にあった東アジアでは、いわば「貿易」のパラダイムが作用したと言える。韓国と台湾は、厳しい冷戦状態の下、アメリカのヘゲモニーの下で、確かにアメリカからの軍事援助と経済援助が果たした役割が大きかったが、既に1960年代の段階から、労働集約的な工業製品を輸出して外貨を稼ぎ、更なる工業化のために資本財・中間財を輸入するパターンへと変化していた。香港やシンガポールを含めて、いわゆるアジアNIEsは、国内市場の狭隘性もあって、こうした戦略を採ったとも言える。何れにしても、「開発計

12) その点を総括的に示しているのが、山口氏執筆の第12章である。

画」の論理もある程度効いていたかもしれないが、こうした戦略は「市場」に親和的なものであった。

さて、このような二つのパラダイムの対照は、第二次世界大戦後に突如現れた現象ではなかった。歴史的淵源を求めることが可能である。すなわち、両大戦間期（1920年代および1930年代）に遡ることができるのである。英領インドではこの時期に、関税の引き上げによる保護主義、そして輸出貿易の不振に基づく「輸出悲観論」に起因して輸入代替工業化のパターンは始まっていた。それに対して、東アジアでは、両大戦間期、特に1930年代の世界的な貿易縮小の時代に、日本帝国の内部を中心に異例の貿易の拡大が見られた。日本の植民地であった朝鮮と台湾では、貿易の拡大は工業化と深く結びついていたが、その意味で輸出志向工業化の先例をそこに見ることも可能であろう¹³⁾。

ここで指摘したいのは、本書が示した「開発援助」をめぐる南アジアと東アジアの対照は、「歴史の論理」とも言える経路依存性によっても規定されているのではないかという点である。何れにしても、本書は、「アジア経済史」のような問題関心の諸研究とも交錯しつつ、新たな研究領域を切り開く可能性を提示したパイオニア的な研究と評価しうる。

13) こうした認識は、堀和生氏の一連の研究に負うところが大きい。例えば、堀和生 [2009] 『東アジア資本主義史論Ⅰ—形成・構造・展開』ミネルヴァ書房。詳しくは、下記の拙論を参照されたい。脇村孝平 [2018] 「グローバル・ヒストリーから見た『日本帝国』」日本植民地研究会編『日本植民地研究の論点』岩波書店。

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