

The Decolonization of the Arms Trade: Britain and the Regulation of Exports to the Middle East

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During the two decades following World War I, the regulation of the arms trade by international law was a major issue in international relations. After 1945, nothing was done to reactivate the efforts of the interwar period. Instead, the arms-producing powers turned to informal, legally non-binding agreements. The article asks how this shift away from international law towards informal methods of coordination can be explained by focusing on Britain as one of the most important arms suppliers, and on the Middle East as a recipient, from the interwar period until the end of the 1960s. The article argues that the process of decolonization was a crucial development leading to the decline of arms trade limitations.

During the two decades following World War I, the regulation of the international arms trade was a major issue in international relations. The British and American governments pushed successfully to place arms transfer restrictions on the agenda of peace negotiations in Paris. Between 1919 and 1936, the international arms trade was the subject of three conferences, and two conventions were signed. The General Secretariat of the newly created League of Nations, with its Disarmament Section, became a driving force behind attempts to regulate and restrict the global transfer of weapons. Britain and France, two of the main arms-producing countries, showed a strong interest in these negotiations. Even when the Disarmament Conference failed to produce results in 1934, the delegates and the League's Secretariat were confident that they would be able to find a solution at least to the problem of the arms trade. But before the negotiated arms trade convention could enter into force, the rise of fascism and the outbreak of the Second World War brought this effort to an end.

After 1945, nothing was done to reactivate the efforts of the interwar period. The Disarmament Section of the UN did not place the arms trade issue on its agenda, while the arms-producing powers turned to informal, legally non-binding agreements. At the initiative of the US, the Western powers formed two bodies to control the international arms trade: the Coordinating Committee for Multilateral Export Controls (CoCom) in 1949, and the Near East Arms Coordinating Committee in 1952. While the aim of CoCom was to restrict technological transfers to states under Soviet influence, the task of the Near East Committee was to coordinate arms sales to this region. Both committees had only an advisory character, i.e., their recommendations were not legally binding.¹

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¹ For a general overview on arms trade regulations, see Harkavy, *Arms trade*, pp. 211-39; Bromley, Cooper,

How can this shift away from international law towards informal methods of coordination be explained? Why did international law lose its importance as an instrument to regulate the arms trade? What effects did this shift have on the international arms trade? These questions will be addressed by focusing on Britain as one of the most important arms suppliers, and on the Middle East as a recipient, from the interwar period until the end of the 1960s. During the years following World War I, Britain was one of the driving forces pushing for an international convention as well as one of the main arms-producing countries. Therefore, London's arms export policies are key to understanding why efforts to establish legally binding norms by international law were not continued after 1945. On the other hand, the Middle East played a central role in debates about the international arms trade throughout the time period under consideration – first, as a region across which some of the most important arms trade routes flowed; later, as a region in which the great powers had multiple, often contradictory interests.

Scholars have argued that the Cold War, with its nuclear threat and the confrontation of the two blocs, was the main reason for burying all efforts to negotiate an international arms trade convention.² There is much to support this explanation. However, it only captures part of the whole picture. This article argues that the process of decolonization was a crucial development that led to the decline of arms trade limitations. More recently, scholarship has taken a closer look at the strongly interwoven history of colonialism and international law.³ Antony Anghie, in his thought-provoking study, 'Imperialism and Sovereignty', argued that 'colonialism was central to the constitution of international law in that many of the basic doctrines of international law [...] were forged out of the attempt to create a legal system that could account for relations between the European and non-European worlds in the colonial confrontation'.⁴ If this is true and colonialism was a driving force behind the codification of international law, then the process of decolonization must have slowed the development of international law. As I will show, this is exactly what we see in the case of international law regarding the arms trade.

I

The Great War was far from over when, in January 1917, British officials from different governmental departments held several meetings at Whitehall to discuss the question of arms traffic. There was a strong consensus that as soon as peace was reached, a new threat would emerge: At the end of the war, the 'world's total stocks of destructive weapons will in fact be infinitely greater than at any previous period in history; and the difficulty of preventing these weapons from reaching undesirable hands will be proportionately increased'.⁵ In their deliberations on how to handle this situation, British officials paid close attention to a memorandum prepared by Sir Mark Sykes, in which he analysed how these changes would affect the British Empire. Sykes was a conservative MP and a

and Holtom, 'The UN Arms Trade Treaty'; Enomoto, 'Controlling arms transfers'. For an overview of the interwar period, see Ball, 'Britain and the Decline'; Stone, 'Imperialism and sovereignty'; Webster, 'Making disarmament work'; Webster, 'From Versailles to Geneva'. On the postwar period, see Pierre, *Global politics of arms sales*, pp. 273-311; Mastanduno, *Economic containment*, pp. 64-106; Cain, 'Exporting the Cold War'; Engel, 'We are not concerned'; Yasuhara, 'Myth of free trade'.

² Harkavy, *Arms trade*, p. 216.

³ Pedersen, *Guardians*; Becker Lorca, 'Universal international law'; Gassama, 'International law',

⁴ Anghie, *Imperialism*, p. 3.

⁵ Committee of Imperial Defence: Report of Sub-Committee on Arms Traffic, 10 Mar. 1917, in The National Archives (TNA), CAB 29/1.

determined supporter of imperialism. His analysis would become central to how the British government approached the problem of the arms trade during the interwar period.

Sykes' focus was on the British colonies. He was convinced that a large number of weapons would find its way to the 'savage tribesmen', as they were living in British colonies in East Africa. However, he did not consider this a serious threat. Planes and machine guns would enable British troops to quell any rebellion without serious damage. Besides, Sykes was more concerned about a far more dangerous threat: 'When the war is over we shall, in Asia at all events, suffer from a great deal of social and political unrest. [...] I suggest that the disaffected intellectuals of Cairo and the Indian towns will be a far greater danger than will tribes armed with modern rifles'.⁶ This fear of revolution was clearly shaped and enforced by events in Russia, where a revolution was underway, and by uprisings in Ireland. It was reasonable to assume that something similar could happen in Asia or Egypt. In India and in Arabic countries, the nationalist movement was getting stronger, and political unrest was growing.

Against this backdrop, the India Office, the Foreign Office and the War Office proposed to the cabinet to negotiate 'without any delay' an international convention to regulate arms traffic 'in those parts of Asia and Africa in which it is of special importance to prevent modern arms and ammunition from reaching the hands of indigenous races'.⁷ There were three main hotspots that needed to remain under control. The first was the eastern coast of Africa. From here, arms arriving from the Arabic Peninsula were distributed on the continent. Still more important was control of the Arabic Peninsula and Persia. From here, ships went to and from India – the crown jewel of the British empire. It was therefore of utmost strategic importance to control these zones in order to prevent arms from being transferred to India.⁸

It was not a new idea to control the transfer of arms to colonies by international law. In 1890, the Brussels Conference Act had been signed with exactly the same objective. But France, Italy and the German Empire – all signatories of the act – had always been reluctant to apply its norms in the way Britain expected them to.⁹ However, things changed after the war. Germany lost its colonies, while France and Britain were entrusted by the newly founded League of Nations to administer territories which formerly had pertained to Germany or the Ottoman Empire. With new territories under its control, France became more interested in controlling the arms trade.¹⁰ French support was central to the British initiative to push for an international arms trade convention. Not only was France an influential power and arms producer, but its interest in the convention were quite similar: Both of them needed an instrument by which to control its vast territories outside Europe. Therefore, with French support, London was more likely to negotiate a treaty that would conform to its policies.

Indeed, Britain managed to introduce the issue at the international level. During negotiations of the League of Nations' covenant in Paris, Britain inserted a clause that stated that the League would be entrusted 'with the general supervision of the trade in arms and ammunition with the countries in which the control of this traffic is necessary in the common interest' (Art. 23 d). Certainly, this was a rather obscure way to talk about the

⁶ Memorandum by Lieutenant-Colonel Sir Mark Sikes, Bart, M.P., 12 Jan. 1917, in *ibid.*

⁷ Report of Sub-Committee on Arms Traffic, 10 Mar. 1917, in *ibid.* On the importance of the Committee for British arms trade policies see Ball, 'Britain and the Decline', pp. 819-823.

⁸ *Ibid.*

⁹ Grant, *Rulers, guns, and money*, pp. 37-77; Beachey, 'Arms trade'.

¹⁰ Report of Sub-Committee on Arms Traffic, 10 Mar. 1917, in TNA, CAB 29/1.

colonies, but that was exactly what the clause was intended to be. Simultaneously and on the basis of the Covenant's clause, the British delegation in Paris initiated negotiations for an arms trade convention.¹¹ Its initiative was not incompatible with the interests of other states. Washington had a strong interest in more stability in Latin America – the so-called 'backyard' of the US. Therefore, controlling the arms trade to Latin American states would serve to help achieve the goal of stability and thereby improve the socio-political environment for US enterprises doing business in the region. Latin American countries, on the other hand, were eager to take control of the influx of arms into their states. For the same reason, China was interested in regulating the international arms trade. To address these concerns, the treaty allowed the trading of arms only if it occurred under governmental control (Art. 1).

Yet, there was another reason why states dependent on arms imports were especially eager to become party to the treaty. In the course of negotiations, a clause was agreed upon which stated that arms could only be exported to states which adhered to the convention (Art. 1). States that did not sign the contract would have been cut off from the supply of arms by the signatories. For the great powers, this clause had the advantage of forcing states like Belgium to become party to the convention. Such states produced and exported small arms and were therefore potential suppliers of weapons to the colonies. In order to maintain high production rates, they were always looking for export opportunities.¹² On the other hand, they were dependent on imports of larger weapons and weapons systems, such as cannons and tanks. Consequently, they were keenly interested in receiving arms from France or Britain and therefore adhered to the convention. The text of the convention therefore contained enough incentives to gain the support of states without any specific interest in the colonies. However, the major part of the convention was devoted to restricting the transfer of arms to the so-called prohibited zones according to the interests of the two main colonial powers, Britain and France. These zones included not only colonial territories but also sovereign or semi-sovereign states through which some of the most important trade routes towards the colonies flowed. In essence, the convention was an instrument to strengthen colonial rule.

The convention was signed in September 1919 in Saint Germain. However, the US stayed outside the League of Nations and did not ratify treaties under its jurisdiction, such as the Convention of Saint-Germain. The American reluctance to adhere to the convention brought the other signatory powers into a problematic situation, as the British case shows. For London, the convention had never been an instrument to curb the arms trade generally. On the contrary, officials in London were eager to protect the British armament industry from any negative effects caused by the convention.¹³

In 1920, as it became clear that the US had restrained itself from signing the arms trade convention, European arms-producing states feared they would be at a serious disadvantage compared with companies in the US. The convention prohibited the export of arms to non-signatory states, among which were Argentina and Spain, both important recipients of warships and cannons produced in Europe. Even though the convention was not yet in force, its provisions could not simply be ignored. The signatories had agreed to a protocol which stated that once it was in force, they would not adopt any measure contrary to the convention. This gave its provisions a certain degree of authority even without ratification. The protocol had resulted from London's fear that surplus weapons from the Great War

¹¹ Stone, 'Imperialism', pp. 217 f.

¹² Hilbert, 'Waffenexport'.

¹³ Memorandum of Department of Overseas Trade to FO, 14 May 1920, in TNA, FO 371/4419.

would reach the colonies in great quantities immediately after the war. To prevent this, the Foreign Office had been pressured to enforce restrictions on the arms trade as soon as possible.¹⁴

Italy was the first state to address the problem caused by the protocol and US refusal to sign the convention. In a letter from April 1920 to the other arms-exporting European states, Italy demanded that action be taken.¹⁵ The British Foreign Office agreed: 'If we continue as at present, the United States firms (...) will go on taking trade away from us'.¹⁶ The British armament industry did its best to foster these fears. Repeatedly, representatives of Vickers and Armstrong, the main armament companies, approached British authorities complaining about the convention's effects on their business.¹⁷ The Department of Overseas Trade was alarmed: 'Vickers Limited have also recently experienced difficulties in exporting war material from this country to Spain (...). This Department can only view the present position with the gravest apprehension for the future of a trade which has, in the past, been very profitable in times of peace and of the highest importance to the country in times of war'.¹⁸

Despite these problems, the colonial powers had no option to follow the example of the US and abandon the convention – especially not Britain. The advantages of having an instrument to reduce and control the influx of arms into the colonies outweighed the disadvantages.¹⁹ Therefore, it was decided to contact the other remaining arms-producing powers – France, Belgium, Japan and Italy – to find a suitable solution that would enable them to limit exports to the colonies while at the same time averting damages to their own arms exports. It is noteworthy that all these states were, at the same time, colonial powers. This circumstance facilitated an agreement between them. In May 1920, they decided to apply the provisions of the convention only to the so-called 'prohibited zones' – in other words, to the colonies and some adjacent states.²⁰

The process that led to this multilateral agreement shows very clearly that efforts to restrict the arms trade by international law and to enforce the application of such norms – even without a legally binding convention – were not driven by the desire to limit the international arms trade generally. Rather, the aim was to control the colonies and to prevent the anti-colonial movement from arming itself. That said, to understand the issue of arms trade regulations during the interwar period, it is necessary to not only ask how and why conventions and agreements were negotiated, but also to consider the actual practice of regulating the arms trade: How did the colonial powers make use of their multilateral agreement? Again, the case of Britain is especially helpful for answering this question.

It was the arms trade with small weapons and ammunition which was considered by London as the main problem. Most of the weapons were produced in Europe. Merchants brought them over Syria and the Arabic Peninsula to the coasts of the Persian Gulf, from where they could reach India.²¹ British authorities made use of the agreement to restrict the application of the convention's provision to the colonies in two ways. First, it was used as an instrument to discipline sovereign states and protectorates within the prohibited zones,

¹⁴ Committee of Imperial Defence: Report of Sub-Committee on Arms Traffic, 10 Mar. 1917, in *ibid.*, CAB 29/1.

¹⁵ Italian Foreign Ministry to British Foreign Office, 1 Apr. 1920, in *ibid.*, FO 371/4419.

¹⁶ Lockhart: The proposed modifications in the arms traffic convention, 17 May 1920, in *ibid.*

¹⁷ See exchange of letters in *ibid.*, FO 371/4422.

¹⁸ The Department of Overseas Trade to FO, 14 May 1920, in *ibid.*, 371/4419.

¹⁹ The proposed changes in the arms traffic convention, 20 May 1920, in *ibid.*

²⁰ The proposed modifications in the arms traffic convention, 17 May 1920, in *ibid.*

²¹ Report of Committee on the Arms Traffic in the Persian Gulf, in *ibid.*, FO 371/5530.

mainly Persia, Kuwait and Oman. For Britain, it was crucial to control the traffic in these states, because it was from there that arms reached India. Therefore, the Arabic Peninsula and the Gulf states, or at least parts of their territories, were included to the prohibited zones throughout the interwar period, even when the territories' governments protested strongly against such treatment.²² On the basis of the convention, British naval forces patrolled the Persian Gulf and searched ships for guns. They also forced the sheiks of 'prohibited areas' to exercise stricter control on guns.²³

Second, the convention served as an instrument to exercise pressure on the other signatories. When British authorities received information in 1920 that France was about to deliver large quantities of arms to Abyssinia, they immediately contacted their French counterparts to inform them that Abyssinia was part of the prohibited zone.²⁴ One year later, the British discovered evidence that Syria, which was under the mandate of France, had become a transfer zone for weapons. Again, French authorities were pressured on the basis of the convention to take appropriate steps to control the arms traffic in their mandated territories.²⁵ The same thing happened to Italian authorities when Britain discovered an arms-smuggling network operating between Trieste and Palestine.²⁶

These examples show that despite not coming into force, the convention was not a mere scrap of paper. Instead, it served to legitimize the curtailment of the sovereignty of non-European states and to harmonize the arms export policies of the European colonial powers. When colonial officers met in August 1921 in Karachi to evaluate their measures against the arms trade, they came to very satisfying conclusions. According to their estimations, only around 700 rifles and 100.000 rounds of ammunition had been traded in the territories surrounding the Persian Gulf.²⁷ It is no wonder that British authorities were full of praise for the convention. Foreign Secretary Lord Curzon stated: 'The application of the convention to these [prohibited] areas fulfils a useful object, and enables the parties to the convention to control to some extent a trade which should, for humanitarian reasons, be most strictly regulated'.²⁸

Due to US refusal to sign the Convention of Saint-Germain, the Disarmament Section of the League of Nations Secretariat started planning a second arms trade conference.²⁹ The British Foreign Office was all but delighted with this development. In a memorandum prepared for the British delegate in Geneva, Whitehall officials instructed him to vote against a new conference: 'Not only would such labours be a waste of time, but they would also tend to weaken the authority of the Convention of Saint-Germain by calling attention to the informality of the arrangements on which its present enforcement is based. The convention may not be perfect, but it does at least check the supply of arms to turbulent races in Africa and the Middle East, and this was precisely the object which His Majesty's Government had in view when they initiated the negotiations leading up to the convention'.³⁰ Britain did not succeed in blocking the conference. Therefore, the Foreign Office changed its strategy. During the conference that took place in mid-1925, the British

²² Prince Arfa ed Dowleh to the President of the TMC, 7 Jul. 1924, in League of Nations Archives (LNA), R 231, Dossier 32639.

²³ India Office to FO, 7 Sep. 1921, in TNA, FO 371/5530.

²⁴ See exchange of letters in *ibid.*, FO 371/4421.

²⁵ See exchange of letters in *ibid.*, FO 371/5527.

²⁶ See exchange of letters in *ibid.*, FO 371/7178.

²⁷ Report of Committee on the Arms Traffic in the Persian Gulf, in *ibid.*, FO 371/5530.

²⁸ Curzon to Sir A. Geddes (Washington), 6 Jun. 1921, in *ibid.*, FO 371/5529.

²⁹ Stone, 'Imperialism', pp. 220-30.

³⁰ Memorandum for Lord Robert Cecil, 30 Nov. 1923, in *ibid.*, FO 371/8422.

delegation worked hard to introduce as many provisions as possible regarding the prohibited zones – now labeled special zones – into the text of the new convention. It succeeded: Like the Convention of Saint-Germain, the Geneva Convention was designed to become an instrument of colonial rule.

II

After World War II, the colonial landscape changed dramatically, especially in Asia. Already in 1932, Britain had conceded independence to Iraq. In 1946, the former French mandate of Syria became independent, as did Jordan, which had formed part of the British mandate over Palestine. In 1948, Britain withdrew from the rest of Palestine. But most important was the independence of India and Pakistan in 1947. Suddenly, there were only a few small British territories and military bases left in the Middle East and South Asia. With the decolonization of these regions, the central motive of Britain and France to control the arms trade faded. At the same time, it was clear that neither the Soviet Union nor the US would back any attempt to negotiate treaties to enforce colonial rule. Washington was very explicit about its aversion to colonialism, although it had supported the suppression of those liberation movements being denounced by the colonial powers as communist. The US government feared that maintaining colonialism would force colonized nations into the arms of the Soviet Union.³¹ Against this backdrop, it is understandable that Britain did not even consider taking up its policies of the interwar period or pushing for a new convention to restrict the arms trade in its remaining colonies.

This did not mean that interest in arms trade limitations disappeared completely. The new driving force behind attempts to limit the transfer of arms was anti-communism. Even without negotiations, the most important arms producers of the Western bloc implemented national measures to prevent arms from being exported to the Eastern bloc. However, the Soviet Union and its allies were in the middle of the process of developing a strong domestic armament industry. Therefore, it was not enough to impede the export of arms. To prevent the Eastern bloc from building too many weapons, it was necessary to also limit the export of certain materials and machines. In order to harmonize its exports to the East bloc and reach an agreement on which products should not be exported, NATO members and Japan established the Coordinating Committee on Multilateral Export Controls (CoCom). It is worth noting that the CoCom was not based on international law. It possessed only a consultative character, and member states were not obliged to comply with its recommendations. Instead, the enforcement of its recommendations depended strongly on the ability of the US to impose economic sanctions against companies which did not comply.³²

At the same time, with regard to other areas, anti-communism fostered arms exports. This was especially true in the former colonies. British exports to the Middle East clearly demonstrate this. After decolonization, Britain was eager to secure access to oil in the region. At the same time, the Cold War was stoking fears of 'Soviet penetration'. London hoped to confront the perceived Soviet threat and secure its economic interests by developing close ties with the newly established Arab League. Therefore, at the beginning of the 1950s, the Foreign Office pursued a plan to make the armies of the Arab countries an

³¹ Westad, *Global Cold War*, pp. 110-57.

³² Mastanduno, *Economic containment*, pp. 64-106; Cain, 'Exporting the Cold War'; Engel, 'We are not concerned'; Yasuhara, 'Myth of free trade'.

integral part of its own army in case of war.³³ Arms exports played a key role in this strategy. First, the arms were meant to strengthen the Arab states' ability to resist the Soviet threat in such a way that they did not put too much strain on the British budget. Second, the arms helped to avoid a trade deficit with oil-exporting states. Third, to facilitate the integration of Arab armies into its own, Britain pursued the standardization of weapons and weapons systems on the basis of British models.³⁴

During the first half of the 1950s, London's arms trade policies in the Middle East were a success. Leaving NATO member Turkey aside, with a share of nearly 60 percent, Britain became the most important arms supplier in the Middle East, e.g., 95 percent of all military airplanes sold to the Middle East were produced by Britain.³⁵ However, this success was not so much the result of clever marketing strategies but rather due to economic and political circumstances. The Middle East was not yet the competitive market it would later become. Only 5 to 6 percent of Britain's annual 90 million pounds of arms exports went to these countries; NATO members and Commonwealth states were the main recipients.³⁶ The US had very little interest in arming the Arab states. Against the backdrop of the Korean War, Washington was much more concerned with arming its allies in East Asia, especially the South Korean regime.³⁷ At the same time, the Truman administration had no desire to invoke public criticism by arming Israel's neighbours.³⁸ Meanwhile, the Soviet Union was still engaged in the build-up of its armament industry at the capacities required to satisfy the needs of Eastern European countries.³⁹ Likewise, France's armament industry had not yet recovered from the devastation of the war.⁴⁰

But even though the volume of arms exported to the Middle East was marginal compared with other regions, the Western countries began discussing restrictions. Since the foundation of Israel, Britain and the US had been caught in a dilemma. On the one hand, they wished to strengthen ties with the governments of Egypt, Persia and Iraq and integrate them into an anti-communist alliance. On the other hand, Washington and London were facing public pressure not to arm the enemies of Israel. Especially in the US, a pro-Israel lobby was actively attempting to reduce arms exports to Israel's neighbours. President Truman himself proved to be very receptive to these demands. In 1947, the State Department began pressing Britain to endorse a common arms exports policy towards the Middle East in order to maintain the 'balance of power' in the region and prevent an arms race.⁴¹

Britain was more than willing to discuss the matter. First, it agreed that an arms race between Israel and the Arab states was not in the interest of the Western powers. Yet, there were other reasons why Britain was so interested in coordinating arms exports to the Middle East. The Foreign Office hoped that such an agreement could help 'keep United States exports to the areas from swamping our own, with consequent detriment to our

³³ Devereaux, Schrecker, *Formulation of British defense policy*, pp. 43-74; Levey, 'Britain's Middle East strategy'.

³⁴ United States Arms Aid to Middle East Countries, note by the War Office, 6 Feb. 1952, in TNA, DEFE 7/2097.

³⁵ SIPRI: *Arms trade registers*, p. 162; Sutton, Kemp, *Arms to developing countries*, esp. p. 9.

³⁶ Based on the numbers in Review of World Trade in Arms by the British Foreign Office, 1955, in TNA, DEFE 7/2097.

³⁷ Hovey, *United States military assistance*, pp. 17-48.

³⁸ Jabber, *Not by war*, pp. 80-8.

³⁹ Krause, *Arms and the state*, pp. 115 f.

⁴⁰ SIPRI, *Arms trade registers*, pp. 150 f.

⁴¹ Here and on the following, see Jabber, *Not by war*, pp. 63-127.

prestige'.⁴² This short statement shows that Britain's motives in coordinating arms exports to the Middle East were very ambiguous. They aimed to both restrict the influx of armaments to the region and secure the region as a market for British arms exports. The reference to 'our prestige' demonstrates that the purpose for securing these markets was to preserve Britain's own influence over its former colonies. Therefore, Britain's readiness to discuss the arms trade with Washington can be interpreted as a continuation of its interwar policies. Whereas before World War II, arms trade restrictions had been an instrument to control the colonized territories, in the post-colonial setting, arms exports became the preferred way to maintain a certain degree of control.

This shift points to some fundamental changes in the arms trade with the Middle East. During the interwar period, mainly small arms had reached the Middle East. After 1945, the process of decolonization and the rapid advances in defence technology resulting from the Second World War and Korean War led to an influx of arms systems of greater complexity: tanks, airplanes and – since the 1960s – missiles. These weapons had a very ambivalent nature. On the one hand, they were seen by newly independent states as guarantors and symbols of independence. This was especially true for airplanes. Every national army was eager to develop its own air force. At the same time, airplanes could not be operated without the assistance and know-how of the exporting states. By providing training in the use of weapons, assistance in their maintenance and a supply of spares, the arms-supplying states could exert a certain degree of control over how their products were used by the recipients. Scholarship has always discussed, controversially so, the question of to what extent arms suppliers were able to exert any real influence through exports.⁴³ However, what counts in this context is that Britain's policy throughout the years was built on the belief that arms exports gave them influence.

In 1950, the US, Britain and France signed the so-called Tripartite Declaration, in which they both acknowledged the legitimate need for Near Eastern states to maintain a certain level of armed strength and reaffirmed their opposition to the development of an arms race between the Arab states and Israel. To coordinate their policies in this sense, the Near East Arms Coordinating Committee was established. Its functions were to keep a record of military equipment supplied to the Middle East, to consider the programmes of its member states, and to make recommendations about what actions should be taken with respect to requests for arms submitted by Near Eastern states. Like CoCom, the Near East Committee had only an advisory character. The Tripartite Declaration was not legally binding, and the Near East Committee had no authority to prevent any country from supplying arms.⁴⁴

The non-binding character of the Near East Committee's suggestions was very much to the liking of the Foreign Office. When it came to questions of how to implement the agreement, British officials affirmed in their internal communications: 'We are alive to the danger of hindrance to our exports. We do not intend, however, to refer each individual application to the Committee. Its provisions are vague enough, we hope, to let us out of this'.⁴⁵ Thus, the lax provisions of the arms control system established by the Tripartite Declaration were in part attributable to Britain's interest in using the agreement to defend its share of the Middle Eastern arms market.

⁴² Minute to Mr. Wheeler, 8 Jun. 1952, in TNA, DEFE 7/2097.

⁴³ Albrecht, *Handel mit Waffen*, pp. 123-35; for an overview of the debate, see Kinsella, 'Arms transfer dependence'. From a historical point of view, see Grant, *Rulers, guns and money*, esp. pp. 232-43.

⁴⁴ On the history of the Tripartite Declaration and the Near East Arms Coordination Committee, see Jabber, *Not by war*.

⁴⁵ Minute to Mr. Wheeler, 8 Jun. 1952, in TNA, DEFE 7/2097.

However, the Near East Committee soon lost its limited relevance. By the mid-1950s, the French armament industry had recovered, but the French government did not want to bear the financial burden of this effort alone. Accordingly, France began looking for export markets, and Israel was a perfect match. Britain and the US were selling arms to Israel only reluctantly out of fear that doing so would alienate their Arab allies. France, however, did not consider the Tripartite Declaration as an obstacle to selling the products of its recovered armament industry. In 1954, France began exporting its newly developed Ouragon fighter and Mystère bomber, as well as vast quantities of tanks, to Israel.⁴⁶

The second blow to the Tripartite Declaration came as an aftermath of the Egyptian revolution in 1952 and the abolishment of the monarchy. The revolution was carried out by the so-called Free Officers Movement, which had a nationalist and anti-imperialist agenda. Their aim, among others, was to end British occupation and increase their independence from the former colonial powers. One important step in achieving this goal was to find new arms suppliers who could help ensure Egyptian independence. Until the coup, Britain had been the only supplier. Soon after taking power, the new government began negotiating an arms deal with the Soviet Union – officially through Czechoslovakia. The arms deal of 1955 was a strong anti-imperialist signal. Another one followed soon after: In 1956, the nationalization of the Suez Canal was announced. Despite desperate attempts by Britain and France to maintain control over this strategically important passage by force and with the help of Israel, they ultimately had to surrender this remnant of colonial rule.⁴⁷

Egypt was the first recipient of Soviet weapons in the so-called ‘Third World’. Until then, it had been the policy of Britain and the US to avoid an arms race in the Middle East by supplying only a limited number of weapons to states in the region. This policy was shattered in the aftermath of the Suez Crisis, as Israel and Egypt began stockpiling arms against each other. Consequently, although the Near East Committee continued working until 1967, the Tripartite Declaration was dead.⁴⁸ It is no coincidence that the last effort to control arms exports to the Middle East collapsed right at the moment, when the last former colonial power lost its most important foothold in the region. Colonialism had been a central motive for regulating the arms trade; it had also provided the means to enforce this control. As a consequence of decolonization, this project came to an end.

The Suez Crisis showed clearly that London’s Middle East strategy of winning the Arab states as allies had failed. Pan-Arabism experienced a phase of broad public support combined with a strong anti-colonial spirit, and not only in Egypt. Public protests against the regional influence of the former colonial powers, Britain and France, took place in Syria and Lebanon, and the governments of these states started to distance themselves from the West more noticeably. The newly discovered capacity of the Soviet Union to deliver weapons to former colonies provided them with the means to alienate themselves from Britain. Decolonized states began viewing Soviet arms exports as a guarantor of their independence. In the second half of the 1950s, the Soviets increased arms exports to the Middle East considerably. Syria and Yemen also turned to Moscow. Britain’s hopes now rested with Iraq, which, under the rule of the Hashemite dynasty, became a principal ally of the West. In 1955, the Baghdad Pact was signed by Iran, Iraq, Pakistan, Turkey and Britain as a treaty of mutual defence against Soviet influence. However, in 1958, a group of officers led by Abd al-Karim Qasim overthrew the monarchy, which had been implemented by Britain. Qasim criticised Britain’s hold on Iraqi oil, even though he feared sanctions too

⁴⁶ SIPRI, *Arms trade registers*, pp. 52-5; Jabber, *Not by war*, pp. 104-7.

⁴⁷ Roussillon, ‘Republican Egypt’, pp. 337-40; Westad, *Global Cold War*, pp. 123-6.

⁴⁸ Jabber, *Not by war*, p. 115.

much to nationalise the Iraqi Petroleum Company. The new regime denounced the monarchy as puppets of the former colonial powers, cut off relations with the West, and turned to the Soviet Union to – like Egypt – equip its army with Soviet models.⁴⁹

This decision was not only meant to be a signal of independence, but also to confer financial advantages. Britain depended on earnings from commercial exports for a number of reasons, not least of which was its trade balance with the oil-exporting states and its relatively small demand for armaments – at least when compared with the Soviet Union and the US. In order to maintain its armament industry, Britain had to reduce its research and production costs by enabling longer production runs and increasing profitability through exports. Therefore, British military aid volume was considerably smaller than that of the US.⁵⁰ The Soviet Union, on the other hand, gave political considerations priority over economic interests. Governments from Third World countries could buy Soviet armaments for comparably low prices and on very good conditions. This enabled Middle Eastern states to increase their number of armaments considerably.⁵¹

At the same time as the Soviet Union was stepping into the arms trade in the Middle East, the US became more strongly involved, even though it did not place itself in direct competition with Britain. Iran, which had not yet received a significant number of weapons, played a key role. At the beginning of the 1950s, the Western powers had observed Iran's policies with suspicion. Between 1951 and 1953, Mohammad Mossadegh had been prime minister. After taking office, he denounced the power of the Anglo-Persian Oil Company, which held national oil concessions. Mossadegh viewed nationalization as the only way to achieve economic and political independence. Shortly thereafter, the Iranian congress passed legislation that led to the nationalization of the Anglo-Persian Oil Company. The West therefore considered Mossadegh's government to be socialist and thus a threat. In 1953, Mossadegh was arrested after a coup instigated by Britain and the US. The Shah, who had left the country, returned.⁵²

During subsequent years, the US built up the Shah as a close ally against the Soviet threat. Because of its border with the Soviet Union, Iran was included together with Taiwan, South Korea and Vietnam in the category of 'forward defense areas'. States in this category received around 70 percent of American military aid. US military aid was a major factor in postwar arms transfers. During the 1950s, not even one-quarter of US arms leaving the country were sold on a commercial basis. Three quarters of the transfers were part of the military aid programme implemented in 1951 to construct an anti-communist international security system. States which were considered helpful in confronting the Soviet threat received donations of arms or could purchase them on a non-profit basis.⁵³ After 1955, Iran received large numbers of weapons from the US. Due to these transfers, the American share of the Middle Eastern market grew considerably.⁵⁴

After losing Egypt and Iraq to the Soviets, Britain's exports dropped significantly, and it lost its status as the main arms supplier of the Middle Eastern states. Competition, however, increased immensely. During the decade following the Soviet–Egypt arms deal, exports to the Middle East quintupled compared with the early 1950s. Before 1955, the Middle

⁴⁹ SIPRI, *Arms trade with the Third World*, pp. 201-20; SIPRI, *Arms trade registers*, pp. 41-66. Regarding the Iraqi revolution, see Marr, *Modern history of Iraq*, pp. 81-112; Tripp, *History of Iraq*, pp. 148-67.

⁵⁰ Albrecht, *Handel mit Waffen*, pp. 103-6.

⁵¹ Pierre, *Global politics of arms sales*, pp. 78-80; Boden, 'Cold War economics'.

⁵² Westad, *Global Cold War*, pp. 119-23.

⁵³ Review of World Trade in Arms by the British Foreign Office, 1955, in TNA, DEFE 7/2097; Hovey, *United States military assistance*, see esp. pp. 8-15; Albrecht, *Handel mit Waffen*, pp. 93-103.

⁵⁴ Albrecht, *Handel mit Waffen*, p. 177; SIPRI, *Arms trade registers*, pp. 46-50.

Eastern arms market had been smaller than those of the Far East, South Asia and South America. After, it became as important as the former two, in some years comprising one-third of all arms sales to the developing world. The conflict between Israel and Egypt dominated the scenario, with both countries becoming main recipients of arms. The Soviet Union was the top supplier, providing 40 to 56 percent of all major weapons between 1955 and 1965. The US and France each had a share between 15 to 20 percent, while Britain provided only 7 to 9 percent of all major weapons.⁵⁵ In sum, anti-colonialism, the Cold War and the Arab–Israel conflict together prompted the growth of the arms market in the Middle East, as did attempts by the former colonial powers and the world’s new superpowers, the US and the Soviet Union, to maintain a certain degree of influence over these countries vis-à-vis the two great conflicts that shaped relations in the region.

III

This constellation of factors would structure the arms trade in the region throughout the coming years. It would also impede the establishment of regulatory norms, as one frustrated initiative by Britain’s Labour Party government following the Six-Day War shows. Initially, the conditions seemed opportune. The administration of Harold Wilson, which had taken power in 1964, had placed arms trade regulations back on the government agenda. The Labour Party had been criticising the defense policies of the Tory government for years. Among the issues were arms exports, especially to South Africa.⁵⁶ The first task of the new prime minister in this area was to create the post of Minister of Disarmament within the Foreign Office and give it to the *Times*’ defense correspondent, Alun Gwynne-Jones, a strong and well-known critic of British armament policies, who after his appointment became Lord Chalfont.⁵⁷

From the beginning, Chalfont pushed for more arms trade regulations. However, no Foreign Office official was passionate about this priority of the newly appointed minister, who had no experience as a politician. For two years, whenever Chalfont raised the issue, he was met with extensive memoranda stating the impossibility of setting up an effective multilateral or international agreement on arms limitation. The situation in the Middle East was considered especially complicated and therefore hopeless.⁵⁸ However, when growing tensions in the region erupted into the Six-Day War, Chalfont made another attempt. In reaction to fierce debates at the UN, where arms exports to the Middle East had been denounced by many delegates, Chalfont convinced Foreign Secretary George Brown to instruct staff members to reconsider the question of arms exports to the region.⁵⁹

However, Chalfont was confronted not only with reluctant subordinates but also with the political priorities of the Labour Party, which stood in the way of more regulations, especially in the Middle East. In the post-colonial setting, it proved impossible for the Labour government to reconcile its demand for arms trade controls for this region with other policy goals. First there was the problem of Britain’s balance of payments. Although the economy was in good condition when Labour took office, the Wilson government inherited an unresolved problem from the conservatives which had the potential to cause

⁵⁵ SIPRI, *Arms trade registers*, pp. 46-50, 150 f., 162-4.

⁵⁶ Phythian, *Politics of British arms sales*, pp. 5-8.

⁵⁷ Chalfont, *Shadow*, pp. 85-97.

⁵⁸ See documents in TNA, FO 371/187483 and FCO 10/142 and 143.

⁵⁹ Draft of the note by the Foreign Secretary on the policy for the sale of arms to Israel and the Arab countries, n.d. [Oct. 1967], in *ibid.*, FCO 10/143.

great harm to the country's economy: Britain's balance of trade deficit was growing. Wilson rejected devaluation as a solution, fearing public uproar. The Arab countries and Iran were key to solving this problem. Britain depended heavily on oil imports from these countries, which made up a substantial portion of its total imports. The importation of crude oil by British oil companies was cheaper than the importation of petroleum products and thus helped significantly reduce the balance of trade deficit. Therefore, their interests were supported wherever possible.⁶⁰ This policy had been implemented at the beginning of the twentieth century, when Britain had secured exclusive concessions for its companies in the Middle East.⁶¹ As this region was now home to sovereign states, Whitehall had to look for other means to ensure the safety of its companies and its access to cheap oil.

Arms exports came to the foreground in this regard. In a memorandum prepared for the cabinet at the request of Lord Chalfont, Foreign Office officials recognised that exports to Israel's neighbours were seen by the public with a critical eye. However, since 'national interests' were concentrated in the Arab countries and Persian Gulf states, securing the 'stability of the area' would be necessary. Thus, Britain was obliged 'to supply reasonable quantities of arms to enable [the Middle Eastern states] to deter external attacks and internal subversion'.⁶² This policy was based on past experiences in Iran and Iraq, where revolutions had endangered the business of British oil companies. Arms exports were thus meant to avoid a historical repetition: 'There is a clearly fair division in the Middle East between the Arab states following an evolutionary policy and those following a revolutionary policy. The former are normally more favourable to British interests and it is therefore to our advantage that they should be strong enough to stand up to the latter. The moderates in the Arab world need to acquire arms from the West if they are to avoid being drawn into a still closer relationship with the Soviet Union, and if they are to maintain some degree of independence of action'.⁶³ Although not stated explicitly, 'independence of action' meant safeguarding British interests.

Yet, arms exports to the Middle East also contributed in a more direct way to reducing the balance of payments deficit. As a consequence of the growing demand for oil, imports from the Middle East increased sharply in the late 1960s, with no sign that this trend would slow down.⁶⁴ Against this backdrop, arms exports became a decisive factor in maintaining balanced trade. Britain's arms exports to the Middle East had recovered from the backlash between 1955 and 1958. Since 1962, they had been constantly growing. In 1966, they reached the same level as that of the mid-1950s, comprising approximately one-third of total arms exports to the Middle East,⁶⁵ and future prospects looked even better. Extensive deals had been concluded, two of which were worth more than £ 100 million.⁶⁶ These deals had the potential to turn the region into the most important recipient of British weapons outside of NATO.

Besides the balance of trade, there was a second major political issue in the Labour

⁶⁰ Kuiken, 'Caught in transition', pp. 275 f.; TNA, T 317/134.

⁶¹ Pedersen, *Guardians*, pp. 272-7.

⁶² Policy for the sale of arms to Israel and the Arab countries, note by the Foreign Secretary, 6 Nov. 1967, in TNA, FCO 10/143.

⁶³ Ibid.

⁶⁴ Central Office of Information, *Britain*, pp. 378 f.

⁶⁵ SIPRI, *Arms trade registers*, pp. 154 f.; Central Office of Information, *Britain*, p. 380. A comparison of the values given in these two statistics helps to estimate the share of the armament trade. It is, however, not possible to relate the numbers in the SIPRI statistics directly to British trade statistics, as SIPRI uses a different method to define the value of a product.

⁶⁶ Draft of the note by the Foreign Secretary on the policy for the sale of arms to Israel and the Arab countries, n.d. [Oct. 1967], in *ibid.*, FCO 10/143.

government's agenda which was closely connected to the arms trade issue: reducing Britain's defence spending.⁶⁷ Arms exports to the Middle East could help achieve this aim in two ways. First, they would reduce the costs of armaments by externalizing development and research costs and ensuring longer production runs. Second, they would help absorb some of the negative effects caused by cuts in defence spending. In 1966, one-third of all British arms exports to developing countries were sent to the Middle East.⁶⁸ In fact, an arms deal worth more than £ 140 million had been concluded with Saudi Arabia with the declared purpose of absorbing a portion of the negative effects caused by cuts in defence spending.⁶⁹ Therefore – and because of the balance of trade deficit – the Foreign Office warned the cabinet to 'ignore the considerable commercial advantages of our arms sales to the area'.⁷⁰

Another factor was that the stationing of British troops in the Middle East, especially in the Gulf states, was costly and contributed to the deficit. After the Six-Day War, the conviction that these forces were ineffective when it came to influencing Middle Eastern policies gained ground in the cabinet. Therefore, the Labour government announced in July 1967 that it was withdrawing its remaining troops from the Arabian Peninsula. This announcement had the effect of not only encouraging small countries like Kuwait to begin building up armies for the first time, but also compelling Iran to order tanks from Britain.⁷¹ It was in Britain's own interest, as defined by Whitehall officials, to meet these demands.

Therefore, the Foreign Office suggested to the Secretary of State that he 'continue to work for an effective arms limitation agreement covering all the main suppliers'.⁷² However, it was also recommended that Britain 'continue to supply arms to the Middle East' until such an agreement could be reached: 'If we do not continue to supply arms, we should lose not only profitable exports, but any political advantage which our position as a supplier might give us'.⁷³ At the same time, staff members at the Foreign Office left no doubt that they considered the prospects of an agreement to be very low. They admitted that US President Lyndon B. Johnson had suggested that arms exports to the Middle East be registered, but in the eyes of British officials, this was not 'a practicable idea'.⁷⁴ The memorandum did not even contain a counterproposal.

Such pessimism was aligned with the Foreign Office's postwar policy of thwarting attempts to regulate the international arms trade. However, the Minister of State was unhappy about the reluctance of his subordinates. Not only did he wish to uphold Labour's more positive approach towards arms trade limitations, he also wished to adhere to the strategy Labour had been following since Wilson took office of pursuing closer cooperation with the Johnson administration.⁷⁵ Both the Secretary of State and Chalfont insisted that the Foreign Office enter into an exchange with the US State Department in order to develop proposals for an arms control system in the Middle East.⁷⁶

⁶⁷ Edgerton, *Warfare state*, pp. 241-4.

⁶⁸ SIPRI, *Arms trade registers*, pp. 154 f.

⁶⁹ Phythian, *Politics of British arms sales*, pp. 14-6.

⁷⁰ Policy for the sale of arms to Israel and the Arab countries, note by the Foreign Secretary, 6 Nov. 1967, in TNA, FCO 10/143.

⁷¹ Callaghan, *Labour Party*, pp. 270-3; SIPRI, *Arms trade with the Third World*, pp. 104 f.

⁷² Draft of the note by the Foreign Secretary on the policy for the sale of arms to Israel and the Arab countries, n.d. [Oct. 1967], in TNA, FCO 10/143.

⁷³ Ibid.

⁷⁴ Ibid.

⁷⁵ Callaghan, *Labour Party*, pp. 255-63.

⁷⁶ Note by T.L. Crosthwait, 7 Nov. 1967, *ibid.* See also the changes in paragraph 5 between the draft and the final memorandum 'Policy for the sale of arms to Israel and the Arab countries', note by the Foreign Secretary, 6

In response, Foreign Office officials did what they were accustomed to doing: They started writing a memorandum, changing the initial focus by including other regions and even excluding the Middle East, arguing that it seemed ‘hardly practical’⁷⁷ to consider this area. When Chalfont insisted on a new initiative two years later, the Foreign Office held a series of meetings, but the resulting arguments remained more or less the same as those put forward in 1967.⁷⁸ Chalfont grew increasingly frustrated with his staff. In a March 1970 letter to one of his high-ranking subordinates, he complained: ‘The official attitude to an initiative on the Arms Trade is depressing. The Prime Minister has endorsed the idea of such an initiative and in my view there are no insuperable difficulties. [...] I realise that there are a number of problems, but that is all the more reason for urgency’.⁷⁹ However, shortly thereafter, Labour lost the election, and Chalfont left office. Afterwards, the issue of arms trade regulations for the Middle East was not taken up again by Britain. Whitehall officials had managed to enforce their view of the arms trade on the Labour Party: That the necessity to maintain influence over the former colonies in the face of trade deficits, oil imports, the Arab–Israeli conflict and the Cold War stood in the way of any effective agreement.

IV

Comparing the interwar- and postwar-period attempts to regulate the arms trade in the Middle East, the absence of an international law approach after 1945 is remarkable. In contrast, after World War I, the desire to regulate the influx of arms into the region had a global impact. It acted as a strong impulse to negotiate international law and led to both the inclusion of an arms traffic clause in the Covenant of the League of Nations and to the signing of the Convention of Saint-Germain.

That said, there is one noteworthy similarity between how the problem of limiting the arms trade was handled before and after 1945. In both periods, the practice of arms transfer control was not regulated by international law but rather by informal multilateral agreements concluded by arms-producing states: The agreement to comply with the provisions of the Convention of Saint-Germain regarding the prohibited zones and the Tripartite Declaration agreement. However, the latter was not as restrictive as the former. The agreement for the interwar period consisted of clearly defined provisions regarding the prohibited zones and was used by Britain to demand full compliance. Any arms transfer not consistent with the provisions was denounced. The Tripartite Declaration, on the other hand, formulated only vague, general guidelines. None of the signatories made an attempt to enforce full compliance.

One explanation for these differences can be found in the process of decolonization after 1945. It is no coincidence that the most comprehensive negotiations for limiting the arms trade through international law and the implementation of the most effective measures to limit the transfer of arms took place during the interwar period, when the colonial empires reached their maximum extent. In order to control these vast territories, the colonial powers were willing to strengthen international law and negotiate effective agreements. Once they

Nov. 1967, in *ibid.*

⁷⁷ Regional Agreements to limit the Introduction or further supply of sophisticated Weapons, August 1968, in *ibid.*, FCO 10/144.

⁷⁸ Final record of a meeting held in the India Office Council Chamber on 9 Apr. 1970 to discuss a possible UK initiative on regional arms limitation, in *ibid.*, FCO 66/208.

⁷⁹ Lord Chalfont to Thomas Brimelow, 9 Mar. 1970, in *ibid.*

began to lose their hold on territories in South Asia and the Middle East, however, they also began to lose interest in regulating the arms trade through international law.

Decolonization not only brought down arms transfer regulations; it also transformed the effects of arms trade regulations. The interests of the former colonial powers in the Middle East had not disappeared, as this region provided a considerable share of the increasing demand for oil. However, vis-a-vis sovereign states, the means of exerting influence had to change. Anti-colonialism, Arab nationalism, the Cold War and the Arab–Israeli conflict put the ability of the Western powers to secure their interests in the region to the test. This constellation of factors transformed the Middle Eastern arms market from the ground up. During the interwar period, the significance of the region for the global arms market lay in its function as a transfer site for mainly small weapons. From here, arms coming from Europe were re-routed to South Asia, where Britain's main interests lay. As the former colonial powers and new superpowers tried to secure a certain degree of control over the Middle East in the two decades following World War II, the Middle Eastern states became recipients of highly sophisticated weapons. Because of their sophistication, these weapons created new dependencies, which the former colonial powers hoped to exploit to influence the policies of decolonized states. Arms trade regulations, on the contrary, were increasingly regarded as a hindrance to exerting influence.

Finally, decolonization created a new and substantial arms market for sophisticated weapons, one which was large enough to have an impact on the national economy of the former colonial powers. It was not just that the emergence of new states created new customers. Attempts by the Middle Eastern states to emancipate themselves from the influence of former colonial powers, together with the desire of hegemonic powers to maintain or gain influence, had created by the mid-1950s a dynamic which led to a boom in the Middle Eastern arms market. Hence, the economic cost of arms trade regulations grew remarkably. As the example of Britain shows, it would be too simplistic to state that Whitehall was eager to secure a profitable market for its armament industry. Because of its volume, the Middle Eastern arms market had effects on different political issues: defence spending, trade and currency policies. Therefore, British authorities had little interest in arms trade regulations.

From a contemporary viewpoint, the restriction of the arms trade as an instrument to pursue imperial goals might seem like a paradox. Arms trade regulations are widely interpreted as a sign of humanitarianization of international law, while colonialism is rightly regarded as a system of repression that caused great harm to humankind. Nonetheless, it was colonialism which created a singular window of opportunity to restrict the arms trade during the interwar period, whereas the process of decolonization contributed significantly to closing this window.

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