

HARVARD UNIVERSITY
THE BIOLOGICAL LABORATORIES
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16 February 1972

Mr. David Carlton
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ENGLAND

Dear Mr. Carlton,

I was very glad to receive in the mail your article "The CS Gas Controversy." You certainly make a clear case that the London Government was guilty of very bad treaty practice in its decision regarding CS and the Geneva Protocol.

Undoubtedly, you have spoken to many of the principals involved and have got the impression, as you state in your article, that the Cabinet was strongly influenced by the hope of easing President Nixon's "...difficulties on Capitol Hill..." For what it's worth, I pass along to you the substance of a communication I have had from a British official possessing what I believe to be authoritative knowledge about the matter. He felt there was no particular concern with problems in the U.S. Rather, he felt the decision was largely based on the situation in Ulster and the desire of the Ministry of Defense to be free to use CS in quasi-military operations.

In any event it is clear in retrospect that the British policy on CS has been of no help in getting the Geneva Protocol ratified. As you probably know, the Foreign Relations Committee of the Senate have asked the President to reconsider his interpretation of the Geneva Protocol. Key members on the Committee and other influential Senators have made it clear that they will not support the treaty until the question of riot gas and herbicides has been resolved. For your interest in this regard I enclose copies of a letter to the President from Senator Fulbright and a Resolution introduced by Senator Humphrey. As a result of the ~~response~~ the Administration has undertaken a quite serious review of its position and I believe that the chance is not negligible that there will be a change.

I have saved until the end the main reason for writing you. There is one serious inaccuracy that runs throughout your article. Along with nearly every other commentator on the subject you have assumed that the U.S. position has traditionally opposed any restriction on the use of tear gas in war. To say the ~~contrary~~ would be much more accurate. I enclose a memorandum on the subject, "Tear Gas in War: The Historical Record of U.S. Opposition." So far as I know, it takes account of every important official statement on the subject ever made by the Government of the United States.

With kind regards.

Sincerely yours,

Matthew Meselson