

HERBICIDES, IRRITANT GAS AND THE GENEVA PROTOCOL

I am deeply honored to receive this medal from my fellow alumni and colleagues. As Mr. Nayer has said, for the past several years I have been interested in chemical and biological weapons and the prevention of their use. I would like to take this opportunity to tell you something about the current status of this problem, in particular, about the international treaty which prohibits the use of gas or germs in war--- the Geneva Protocol of 1925. According to its terms, the Protocol prohibits the use in war of "...asphyxiating, poisonous or other gases and of all analogous liquids, materials or devices" and of "bacteriological methods of warfare." More than ninety nations are party to the Protocol, including all important countries except the United States. Ironically, the U.S. proposed the Protocol at Geneva in 1925 but in the face of strong Senate opposition in 1926 the treaty was shelved and eventually returned to the White House without Senate action.

Last August, forty-four years after its inception, President Nixon resubmitted the Geneva Protocol to the Senate as one of several widely praised moves to bring chemical and biological weaponry under control. Hearings have now been held by the Foreign Relations Committee but the ratification process seems to be at an impasse. The problem involves a question of interpretation of just what the Geneva Protocol means.

The difficulty arises from the fact that, when the present Administration took office, United States forces in Vietnam were already using certain types of chemical weapons. Starting in 1962, chemical herbicides have been sprayed over millions of acres of land in South Vietnam in order to remove vegetation and destroy food crops and, from small beginnings in 1965, the use of a powerful irritant gas called CS has escalated to become by far the largest combat use of gas by any nation since World War I.

As the use of irritant gas and herbicides grew in Vietnam in the middle and late sixties, United States diplomats at the United Nations and elsewhere advanced the view that the Geneva Protocol does not apply to irritant gas or to herbicides. Although we were not party to the Protocol, we were sensitive to charges of violating its spirit and, therefore, argued that our actions in Vietnam represented no violation. In spite of some misgivings, the present Administration has gone along with this interpretation of the Protocol.

As with many treaties, the Geneva Protocol may be interpreted either broadly or narrowly but it is obvious that the most workable rule would be "no gas", no chemical warfare of any kind. This is the overwhelming preference of the other nations of the world. The most recent indication of this was a resolution at the United Nations in December 1969 when eighty nations voted against our position and only two voted with us. Never before had we been so isolated at the UN. Although there were thirty-six nations abstaining, nearly all of them were our close allies, politely registering their reluctance to accept the U.S. viewpoint.

The question of the status of irritant gas and herbicides dominated the recently concluded Senate Foreign Relations Committee hearings on ratification of the Geneva Protocol. Secretary of State Rogers, testifying on behalf of the Administration, told the Committee that it should recommend ratification of the treaty with the understanding that herbicides and irritant gases are not prohibited. However, several key members of the Committee

felt that these special exemptions would perpetuate international disagreement over the meaning of the Protocol and greatly weaken its political and moral force. Furthermore, they felt that any loopholes in the Geneva Protocol would ultimately work to the disadvantage of the United States. Our overriding interest is to prevent any proliferation and use of chemical weapons since they would disproportionately strengthen the hands of small or irresponsible powers and would raise the level of death and destruction in war. As a result of these considerations the Foreign Relations Committee has not submitted the treaty for a vote by the full Senate. Instead they have sent a letter to the President asking him to reconsider the U.S. position. Two or three years ago a change in the Administration position probably would have been out of the question. But recent events in Vietnam greatly weaken any military argument for retaining the use of herbicides and irritant gas. On the recommendation of Ambassador Bunker and General Abrams, the use of herbicides in Vietnam has been greatly curtailed. Also, the use of gas has fallen to a small fraction of what it once was. Irritant gas and herbicides are not considered to be important weapons by many knowledgeable military officers.

When we shift our attention from the receding events of the past in Vietnam we see that our future interest is clearly on the side of building the strongest possible barriers against chemical warfare. We are in the midst of a revolution in biochemistry and molecular biology, leading to the most detailed and subtle knowledge of the living process. Inevitably, this will allow man to manipulate and control living things, including himself, in ways that cannot now be spelled out. But it seems only prudent to take great care not to generate interest and momentum toward the military application of this knowledge. If the other nations of the world are willing not to use chemical warfare in any form, the United States should be more than willing to go along. Expressions of public interest and concern will be needed to overcome the general bureaucratic reluctance to change a position which has been strongly defended in the past.

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