

SPEECH BY
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DISARMAMENT AND WORLD LAW
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Every aspect of domestic and foreign policy must have some people in the vanguard, people who constantly express new ideas and advocate far-reaching courses of action. This is a necessary attribute of a dynamic and growing society. This is one of the great roles of the United World Federalists in the arena of international affairs.

Federalists have made a contribution to our thinking about the way in which the world must ultimately govern itself if we are to have a more stable and peaceful world, a world in which law, justice, and freedom are essential components. Without flinching in the wake of unjustified criticism you have steadfastly maintained that we need to have a world organization which must resemble a government of nations based on law.

While proceeding to devise plans and proposals which would advance us closer to a world society based on law, you have also given constructive thought to the immediate foreign-policy problems which face our country. You have helped to support the United Nations when it was under attack. You have urged extension of the Reciprocal Trade Agreements Act. You have advocated expanded economic aid and technical assistance to other nations, both on a bilateral and multilateral basis. And you certainly have displayed a keen awareness and understanding of the issues in the field of the control and reduction of armaments.

I always find it difficult to think of any single aspect of foreign policy without all the related parts immediately closing in on me. This is the way in which disarmament must also be viewed.

The problem of arms control may be isolated for purposes of study, for the purposes of determining which proposals might be more feasible than others, and for the purposes of negotiation. But in contemplating the likelihood of progress in controlling and reducing armaments over a substantial period of time, it is essential to bring into focus many related aspects of foreign policy.

For example, a key to sustained and actual progress on disarmament is the United Nations. Here is the most important international institution that provides a forum for discussion and debate, procedures for the settlement of disputes, and a mechanism for the conduct of diplomacy, both privately and publicly. In short, we have in the United Nations an instrument which, if used properly and used consistently, can enhance the prospects for achieving results on disarmament.

IMPORTANCE OF THE U.N. TO DISARMAMENT

One can scarcely think of disarmament without also thinking of the United Nations. Since 1945 the task of regulating arms and armed forces has been a major responsibility of the world organization. Even though the Soviet boycott of the U.N. Disarmament Commission initiated last fall has now caused an interlude in U.N. disarmament negotiations, I am convinced that this is only temporary, and that over the long range the fate of disarmament and the U. N. remain inextricably bound together.

The United Nations is the appropriate place for conducting disarmament negotiations. First of all, as an international forum where nearly all the nations of the world can meet and bring their combined influence to bear on common problems, the U.N. is eminently fitted to deal with the explosive issue of the arms race. It is made to order for discussion on the far-ranging problems of peace--a sort of prefabricated environment created for the specific purpose of focusing the efforts of every nation on reconciliation of differences and resolution of disputes.

Disarmament and other issues of the cold war affect the interests of the entire world. They are not personal squabbles between government officials in Moscow and Washington. Nor are they private feuds between

the Communist bloc and the NATO powers. The fate of people on every continent is affected by the tensions between the so-called superpowers. In Asia, Africa, and Latin America, nations are watching with deep concern the movements of the top-billed actors on the international stage because they know that their own future depends upon the solution reached by the leading players.

In a word, these countries have a deep interest in peace. They are more interested in results than propaganda victories, or whether Washington or Moscow happens to be ahead at the moment in scoring political points.

It is in our best interest to lay this disarmament problem before the rostrum of the United Nations. There the atmosphere of mediation, the neutral force of world opinion, can be put to work to soften up and crack the disarmament stalemate.

Peace and disarmament are bigger than the United States and the U.S.S.R. Responsibility for achieving them must be shared by all nations.

The United Nations is also uniquely equipped to play a conciliatory role in the disarmament question. Its distinguished and competent secretariat has access to information and can perform functions that could be of decisive importance. Mr. Dag Hammarskjold, the Secretary General, exercises an impartial and positive role in international politics. I suggest that his good offices be more fully utilized by the United States and other governments as a mediator and conciliator in disarmament negotiations within the United Nations.

UNITED STATES RESPONSIBILITY UNDER U. N. CHARTER

The second reason why we should resort to the United Nations is that we have a responsibility to do so. Thirteen years ago the United States ratified with the solemn approval of the Senate the United Nations Charter. In that charter the member nations voiced their determination "to save succeeding generations from the scourge of war." The Security Council was endowed by the charter with primary responsibility for preserving the peace of the world and for safeguarding the security of its member nations. Under the principle that military power could be legitimately exercised only by the United Nations or under charter authority, the Security Council was to prepare plans for the regulation of armaments of individual states. A complementary authority was bestowed upon the General Assembly to discuss and make recommendations as to the general principles of disarmament.

For a dozen years the great powers have negotiated on disarmament under the umbrella of the United Nations Charter. At its session last fall the 12th General Assembly passed two resolutions by an overwhelming majority providing for continued negotiations within the United Nations framework to attempt to break the disarmament deadlock. The Assembly went so far as to alter appreciably the composition of the U.N. Disarmament Commission in a conciliatory effort to meet Soviet objections to its membership. But the Kremlin repudiated this gesture of reasonableness and promptly announced that it would not participate in the Disarmament Commission's proceedings. This was directly contrary to the Assembly's directive that negotiations on disarmament should be resumed "as soon as feasible." It was the expectation of the General Assembly that the Disarmament Commission would meet promptly to carry out its obligations.

For some months now the Disarmament Commission has been dormant because of the refusal of the Soviet Union to abandon its boycott. Nevertheless, the Assembly directive still stands. It has not been revoked because of the Kremlin's insistence that disarmament talks be convened outside the U.N. The United Nations' fundamental responsibility for disarmament, as conferred by the Charter, has not been cancelled or amended. All of our obligations under the general provisions of the Charter as well as under the specific resolutions of the General Assembly stand undiminished and in full force.

There is no valid reason for us to ignore the Assembly's formally expressed wish simply because the Communist governments are deliberately ignoring their own obligations. We should, regardless of what the Kremlin and other Communist governments do, show our respect for the will of the Assembly. We should constantly manifest our readiness to fulfill our obligation of negotiating in the Disarmament Commission. If the Soviet Union continues its non-cooperation, then all the world can clearly see who is responsible for thwarting the will of the United Nations Assembly.

USE OF SECURITY COUNCIL IN DISARMAMENT NEGOTIATIONS

If the Disarmament Commission is barred from making any substantive progress in disarmament negotiations by the boycott of the Soviet Union, then I believe we should immediately utilize the United Nations Security Council. Disarmament talks in this body can have many advantages.

There would be no argument about who should or should not attend. Its membership and procedures have been fixed by the charter.

Built into the Security Council is a system of representation that enables the great powers to take into account, in a way that is practical, many of the views and interests of the other members of the organization. The major powers have permanent places on the Council, but the other six members are states which have been elected by all the members of the General Assembly as their official representatives on peace and security matters. The representative character of these elected members of the Council is underscored by the charter provision that they be distributed on an equitable geographical basis. These half-dozen elected members have in practice been chosen from nearly every major region of the world. Negotiations, therefore, in the Security Council would in effect show our regard for the views and interests of all peoples represented in the United Nations.

Under the rules and procedures of the Security Council issues can be brought to a decision and the Kremlin representative can be compelled to take a "da" or a "nyet" stand in the full light of world public opinion. If they register a "nyet" against the wishes of the other members of the Security Council, then they severely indict their own policies and purposes before the bar of international opinion.

Several weeks ago when the Kremlin accused us in the Security Council of provocative bomber flights, the administration in an unusual display of bold initiative threw aside its squeamishness about taking disarmament back into the U.N. and proposed aerial inspection over the Arctic area. Let us now follow through on this proposal and reintroduce the whole disarmament problem back into the United Nations framework where it rightfully belongs.

If obstructionism or the veto should thwart effective Security Council action on disarmament, then we might possibly resort to other channels. But in any case, we should insist that negotiations elsewhere be conducted under the sponsorship of the United Nations and according to the terms of reference it prescribes.

HEART OF DISARMAMENT--INSPECTION

At the heart of the disarmament issue is the problem of inspection. Since it is not possible, under current conditions of mistrust and suspicion between the Communist bloc and the Western Powers, to have an armaments limitation agreement based on faith alone, the star of disarmament rises or falls depending on whether reliable inspection machinery can be devised and agreed upon.

Much of the present controversy over the adequacy of inspection could be allayed if certain principles were kept in mind. First, because of the mutual mistrust between the Soviet Union and the Western Powers, there must be an inspection system which is effective

and adequate. We could not permit ourselves to be drawn into an agreement under which we would limit ourselves in the development of an important weapon in our armory while the Soviet secretly continued to arm itself with that same weapon. Such a situation would not contribute to peace, but only hasten the conflagration we are trying to avoid.

But the necessity of an effective inspection system for a test ban should not lead us into the error of demanding one that is absolutely 100 percent perfect. Absolute perfection is not attainable in any human enterprise, and that includes disarmament inspection. Nor is it necessary. No inspection system for a test suspension has to be so perfect that every conceivable nuclear explosion has to be 100 percent detectable. A political factor enters into the technical equation. Inspection has to be effective enough so that every country knows there is a good chance it is going to be caught if it tries to cheat on the agreement.

As long as an inspection system possesses this degree of certainty, no signatory of a suspension pact would run the political risk of sneaking an illegitimate test explosion. The military advantage it might get from a sneak test under such conditions would be so limited that it would be far outweighed by the political disadvantages of getting caught in the act and in thus ignominiously causing termination of the agreement. If a government decided that it was no longer in its interest to keep the agreement formally in force, it would be politically more advantageous for it to renounce the agreement publicly--and in that case everybody would be released from it--rather than to take the risk of trying to sneak around it.

BALANCING OF RISKS

What the perfectionists overlook, is that there is a risk in whatever course we take. The second principle, therefore, is that there must be a balancing of risks between one course of action and another. This is the way we usually solve the problems of life. In disarmament we must weigh prudently all the dangers of continuation of the nuclear arms buildup toward an unpredictable climax against the risks that might be involved in an agreement backed up by an inspection network that is somewhat less than absolutely perfect. We must balance the danger of spreading nuclear weapons know-how to fourth, fifth, and innumerable countries against the danger that the U.S.S.R. which has, according to public reports, made about 50 tests to our approximately 100, might be able to sneak one or two more.

TECHNICAL STUDIES ON INSPECTION

Within the past couple of weeks there has been a significant breakthrough on the inspection front. Last fall, the U. N. General Assembly recommended as part of its program for disarmament the commissioning of a group of technical experts to study inspection systems for various phases of disarmament. Repeatedly the United States has prodded the Kremlin to accept this Assembly recommendation. On several occasions as chairman of the Disarmament Subcommittee, I have publicly urged that the United States and the Soviet Union appoint scientific teams to study jointly inspection systems for a ban on nuclear testing and for a cutoff of nuclear production for weapons purposes.

A couple of weeks ago Khrushchev, after a series of myets, gave what appeared to be an affirmative, although reluctant, response to these overtures. He agreed to a study group for inspection of a nuclear test ban. Although this was not all that the General Assembly recommended, or what I myself would have preferred, nevertheless it was a significant change in Soviet policy. There is no good reason for the administration to dally in academic debate over whether this half a loaf is as good as a whole loaf. It is unquestionably better than none. The United States should immediately snap up this Soviet offer and get on promptly with establishment of the study group. By so doing we will demonstrate our own good faith and we will find out whether the Soviet Union is really willing to accept the inspection necessary for a suspension of nuclear arms tests.

Agreement on an inspection system could pave the way for a multi-lateral agreement on a suspension of tests.

SEPARATION OF TEST PROPOSAL FROM DISARMAMENT PACKAGE

The Soviet acceptance of the study group proposal brings the administration face to face with the decision whether to separate the proposal for a nuclear test ban from the other proposals in the United States disarmament package. Recently the administration has clearly shown that it does not consider the unity of the package sacrosanct. It has separated from it the proposal relating to the use of space for peaceful purposes and also proposals regarding an inspection system over the Arctic to warn against surprise attack. It is no secret that the administration is torn with controversy on this point of breaking up the package. Dispute swirls mainly around two questions-- whether it is militarily and politically desirable to enter into a test ban by itself, and whether it is possible to have an adequate inspection system to effectively police such a ban.

In regard to this first point, while it appears that the existence of small clear weapons urged so strenuously by certain partisans in the administration might have advantages from a military point of view, it is my opinion that the political impact of Soviet acceptance of an inspection system inside its sealed borders would be so tremendous and have such portentous implications for the future of Communist-free world relations that this would greatly outweigh any military benefit we might derive from continued testing. Soviet acquiescence in a system of this kind would constitute such a revolution in its historical attitude that it would fully justify the small strategic sacrifice we might have to make to gain this far-reaching political benefit. The test ban, while it would halt or slow down technological advances in nuclear weapons, would not in itself reduce the capabilities of any country for waging nuclear war. In fact, nuclear weapons could go on piling up just as fast after a test ban as before. A test ban is, therefore, only a start on disarmament. But, it can inaugurate a change in atmosphere that leads on to other measures to reduce significantly the capability of both sides for waging both nuclear and conventional war.

U.N. MILITARY FORCE

There are two other factors that are not only vital to the cause of disarmament, but which affect the future evolution of international cooperation. The first is the appearance of a United Nations military force. The second is the need for new international machinery to regulate outer space for peaceful purposes.

The establishment of a permanent United Nations military force is an event that could signal a new stage of development for the United Nations. A world community governed by law must have the capability of preventing violations of the international legal order by those who will seek to flaunt it. This calls for a military force to back up the international community's will and decisions. Moreover, without the guaranty of an enforceable legal order many states will be reluctant to divest themselves of the national military strength whereby they now hope to protect their lands and their people. Disarmament and the creation of an international police force go hand in hand.

"The sheriff's posse lurks behind every rule of law," a great legal authority once observed.¹ In the present system of sovereign States not only is there lacking a well-developed code of law, but such law as exists is interpreted and enforced by each nation as it sees fit with its own military forces. Eventually individual self-protection must give way to a community-controlled police force.

The establishment of an international police force, despite many discouraging setbacks over the past several decades, has now become a practical working objective. The United Nations Emergency Force, now stationed in the Middle East is concrete, tangible proof that an international military contingent is practical and that it can fulfill a vital peacekeeping function.

¹. Pollack. Quoted in Life editorial in speech file.

The United States should take the initiative in the United Nations to secure adoption of the following measures. First, as urged by the Senate in a resolution passed last year a permanent United Nations peace force should be created to be employed in achieving United Nations objectives. The present UNEF was created for a specific job, namely, the maintenance of quiet along the frontier between Israel and Egypt, and is financed by extraordinary budget assessments and voluntary contributions. The United Nations permanent contingent envisaged by the Senate would be for general employment by the international organization and would be supported financially on a continuing basis as a regular expenditure of the annual budget.

Secondly, the United Nations military force should, at least in the beginning, be drawn from nations which are not permanent members of the Security Council. Employment of the force should not be embarrassed or nullified by clashes of interest between the great powers.

Thirdly, the United Nations police force should be strong enough to perform the tasks assigned to it. As the rule of law becomes established, the nature of these tasks can be expected to become more and more responsible. Today, the UNEF patrols an armistice frontier. Tomorrow, or the next day, the UNPF--the United Nations Peace Force--might be consigned to restrain an attack by one nation upon another.

UNITED NATIONS PEACE FORCE

The necessity of an international military force with adequate numbers was highlighted during the recent negotiations over the Tunisian-Algerian frontier problem. It was then suggested that a United Nations contingent, similar to that in the Middle East, should be deployed along the Tunisian border in support of a settlement agreed upon by the parties. Among the reasons this device was not adopted was that a large enough peace force did not already exist and there was serious doubt that sufficient manpower could have been financially supported in addition to that already mustered for the UNEF in the Middle East. If a U.N. police force is to operate effectively, it must be large enough to cope with any situation that is likely to arise.

Finally, the United States should press for establishment of a United Nations study group to work out the knotty questions of how decisions will be made for putting the U.N. force into action, the purposes for which the force can be used, and the manner in which it should be composed and commanded. The obligation of the states participating in the United Nations to respect and facilitate the operations of the U.N. force should be clearly spelled out. A special international agreement should be concluded to grant the international force proper legal status and to confer upon it headquarters and passage rights.

INTERNATIONAL CONTROL OF SPACE

Another area in which we should take prompt action is that for the international control of satellites, missiles, and other vehicles launched into outer space. The forward sweep of space technology has been so swift that we have scarcely had time to digest all of its implications for the future of the human race. Since the beginning of human history man has been bound to this planet we call earth. Now, within a brief period, the barriers between the earth and the universe have suddenly crumbled and the vast expanses of space lies before us for exploration and use by scientific ingenuity.

It is a melancholy thought that at the dawn of the space age we are using space so feverishly for the perfecting of even deadlier engines of destruction. The long-range missiles now under development have magnified the threat of atomic warfare by providing a means of delivery that is of unprecedented speed and against which there is at present no effective military defense.

The United States took the lead last year in attempting to do something about control of outer space missiles and vehicles so that they could be subordinated to peaceful ends, but the effort was entirely too modest. The United States proposed merely that there be joint study of an inspection system to insure peaceful use of objects sent through outer space. This was approved by the United Nations General Assembly last fall. However, despite urgings by Senator Lyndon Johnson, the Senate majority leader, by myself, and by others, that the United States propose an outer space agency within the United Nations, the administration has thus far failed to act.

Two months ago the administration paid a bitter price for its procrastinations. On March 15 the Kremlin seized the initiative and announced to the world comprehensive proposals for banning the use of outer space for military purposes and for cooperation in the peaceful study of outer space under the supervision of the General Assembly of the United Nations. We had, in a phrase, been scooped again. The lead in this particular field of disarmament that had once been ours was snatched right out of our hands by alert Soviet propaganda action.

Without further hesitation the United States should make the following proposals:

First, we should seek to extend and expand the cooperative space research now going forward within the framework of the International Geophysical Year. The latter, you know, is a cooperative venture of men of science from 67 countries for collecting and disseminating physical data about the earth and the space surrounding it. Projects are volunteered by private agencies or by governments and the resulting information is pooled for the worldwide advancement of science.

Of particular interest is that phase of the IGY program pertaining to rocket and satellite research in the upper atmosphere. It is under this portion of the program that the United States and the Soviet Union have launched six satellites. The experience of the IGY has been so valuable and so encouraging that it would be disappointing to terminate it upon its scheduled expiration at the end of this year. The United States has recently proposed that in the interest of peace and scientific benefit for mankind the nations cooperating in study and exploration of the Antarctic Continent under the IGY continue their collaboration after 1958. The urgency of peaceful cooperative endeavor in space research and exploration is even greater than that for Antarctica. We cannot permit space to be compartmentalized into nationalistic segments, hostile to each other. The United States should also propose that those phases of the IGY program relating to rocket and satellite research in the upper atmosphere and in space be continued beyond the end of the year.

The IGY is essentially a nongovernmental, volunteer program of a relatively limited nature. While scientific cooperation on this level can be extremely beneficial, there is much more that we can do if governments themselves agree to take action. I suggest therefore, that, as an additional step the United States sponsor in the United Nations a proposal to create an international organization for peaceful exploration of the reaches of outer space. This would carry the cooperative endeavor of the international scientific community onto a higher and more advanced level.

In concept and in design this outer space research agency might well be patterned after the present International Atomic Energy Agency.

All nations should be invited to participate in this momentous enterprise for peace. Our experience with the International Atomic Energy Agency has demonstrated that joint undertakings for peace exert a magnetic attraction even upon the reluctant.

Time will be required to negotiate, organize, and place an international space agency in operation. Within a year both the United States and the Soviet Union might have placed rocket shots on the moon. The first shot landed could signal an outburst of clashing legal claims

that would further inflame relations between the two countries. In time similar conflicts could occur over other space bodies or over portions of space itself. To prevent disputes of this character, the United States should formally propose to the members of the United Nations the conclusion of a treaty similar to that it has already proposed for Antarctica.

The principle of the Antarctica Pact is that all national claims to portions of the southern continent should be put into "cold storage," so to speak, and that all countries should have freedom of investigation on the polar territory. The purpose of this arrangement is to prevent political and military rivalries over territorial claims. Prevention of hostile competition will be even more imperative in outer space. The principle of internationalization should be applied as soon as possible to outer space. The United States should immediately announce that it will reserve any of its own claims or rights in space for the United Nations or for such other international agency as might be organized with jurisdiction over space affairs.

While establishment of a United Nations space agency such as I have outlined would not of itself prevent any nation from fabricating long-range missiles or other military space weapons, it would have some value as a disarmament device. It would absorb energies and divert resources that might otherwise be expended in missile rivalry.

Politically the most difficult part to achieve of a complete international space-development and missile-control system will be the outlawing of long-range missiles and other military space objects. But the onrush of military space technology is so rapid that we must act quickly. It is possible that a ban on nuclear-weapons tests might still prevent the perfection of nuclear warheads and thus of operational long-range nuclear missiles.

The world learned a disagreeable lesson when through Soviet obstinacy and stalling the opportunity for complete control of atomic weapons slipped through our fingers. After years of procrastination the inexorable facts of science took their revenge. We found ourselves in a technical situation where we could not have effective comprehensive atomic disarmament even if everybody had agreed. It is no longer scientifically possible to detect existing nuclear weapons stockpiles by an inspection system. It would be folly to make the same kind of mistake twice. We now have an opportunity to forestall the threat of long-range ballistic missiles by controlling their development under international law and agency. Another method or means to prevent the employment of space for belligerent purposes would be to place all long-range rocket launchings under international surveillance to insure that they are not conducted for military ends. Unauthorized firings of long-range rockets would, under a properly devised inspection system, be relatively easy to detect. Recently it has been revealed that along with radar, detection devices for electromagnetic waves can also be used for long-range spotting of rocket launchings.

Another approach to control of long-range missiles might be to regulate and limit the number of long range rocket-launching sites. Inspection machinery would be necessary to locate and identify any launching sites that were forbidden.

A start on disarmament--ending nuclear tests, installing inspection systems against surprise attack, or inaugurating controls over missiles and space weapons--could reverse the arms race and initiate a trend toward more pacific relations in the world. But the world must act without further delay. As an excellent study issued by the National Planning Association a couple of weeks ago, entitled "1970 Without Arms Control," vividly pointed out, military technology is advancing so rapidly and is becoming so complex, that it is tending to outgrow possibilities of control.

We should remember, too, that arms control is only part of our problem. The present arms buildup is a symptom as well as a cause. A deep and lasting cure for the arms race must be found in a cure for war itself. This means that effective substitutes for war must be found as means of settling conflicts among nations.

Many thought that when we signed the United Nations Charter that we had discovered a substitute for force in international relations, or at least a means of exercising force collectively in support of peace and justice. Our earlier hopes in the U.N. were dashed by Communist obstructionism. But out of old hopes were born new hopes as we saw that the United Nations had potentialities for growth and development in ways not foreseen at San Francisco in 1945.

It falls upon us who believe in the concept of growing world order and law to see that these potentialities of the United Nations are recognized and developed. It falls upon us to strengthen the forces of law in the world in regard to the rights both of States and of individuals. In regard to the latter we should pursue every practical course for increasing respect for human rights and securing protection for them. It is our obligation to work incessantly at improving the methods whereby nations can compose their quarrels and resolve their conflicts. Until universal law can be more solidly established, we should seek constantly to improve those mechanisms of conciliation, mediation, and negotiation which in their often prosaic way can help to assure our daily peace.

We must simultaneously be incurable idealists and hardheaded realists. The goals of international cooperation we aim at must be lofty and worthy of the highest human aspiration. Our programs of action must be attuned to the realistic and the practical. In this manner we shall gradually forge our way across the rough terrain of the world's present travail and conflict until we at last bring into view the sunny plains of tranquillity, of harmony, and of peace.



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