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The Legality of the Cuban Missile Crisis Quarantine

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Oral Presentation O8.4

THE LEGALITY OF THE CUBAN MISSILE CRISIS QUARANTINE

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In October 1962, U.S. aerial surveillance over Cuba triggered a diplomatic crisis with the Soviet Union. U.S. leaders scrambled to come up with a solution to prevent a possible attack with as little provocation as possible. The U.S. ultimately decided to implement a naval “quarantine” on Soviet ships. However, one question remained: was it legal? Scholars in opposition called on international law citing freedom of the seas and aggressive unilateral action. Those in favor remarked that the United States had a right to self-defense and to maintain hemispheric peace and security. While debate still ensues, a majority of the academic community in history and law generally accept the actions as conforming to international law.