



Search NRO

Enter Your E-Mail Address to Sign Up GO

the corner

Monday, July 26, 2010

New START: Don't Shake the Tree If the Fruit Ain't Ripe [Henry Sokolski]

After my last entry on the New START treaty, the National Security Network, a prominent left-of-center organization, identified me as being “among the more thoughtful right of center voices.” This made me instantly wary — is this a good thing? I asked myself — and fortunately, I read on to discover that this was merely calculated faint praise: Actually, they were quite put off by my concluding argument, which they quote verbatim:

Assuming the Senate gets down to business now and starts deliberating, ratification early in 2011 is both feasible and reasonable. Trying to short-circuit this process, on the other hand, is more likely to result in more of what we have already have — an unhelpful game of political chicken.

The Network goes on to refudiate this view at great length. Facts, however, are stubborn things.

First, the New START Treaty is hardly in any danger of being egregiously delayed, even if it ends up being ratified as late as the start of the new Senate session next year. Do the math. New START was submitted to the Hill on May 14, meaning the Senate will have reviewed it for 12 weeks when it goes on recess after the first week of August. If the Senate were to abide by the White House's plea to ratify New START before the November elections, they presumably would have to do so between September 12, when the Senate returns, and October 1, when it plans to adjourn for fall elections. This would mean New START would be ratified after only 15 weeks of Senate action. Add two weeks for a possible lame-duck session, and you get 18 weeks. If you go for ratification by the second week of February (a prospect that even Majority Leader Reid has allowed as a possibility), you get roughly 20 weeks. All together, that would pass within a period just shy of eight months.

Historically, this is relatively quick. The Intermediate Nuclear Forces (INF) treaty, which was comparatively noncontroversial, was sent to the Hill January 19, 1988, and ratified by the Senate on May 27, 1987: five months. With recesses for President's Day and Easter, the Senate was in session for roughly 16 weeks before it ratified INF. So, that's 16 weeks of session and five months to ratify INF, on one hand, and 15 to 20 weeks of session and six to eight months to ratify New START on the other — that hardly seems like a “delay” that could be construed as worrisome. START II ratification took nearly 36 months. Getting the New START Treaty ratified by the beginning of 2011 would be a period of time less than one-quarter as long.

A second and more serious concern is making sure New START receives overwhelming Senate support. This point, unlike the delay canard, is politically and historically a good one. The Founders wanted treaties to be approved by an overwhelming majority (not

First Name: [] MI: []
Last Name: []
Corp Name: []
Address: []
City: []
State/Province: Select
Postal/Zip Code: []
Country: U.S. Canada Other
E-mail: []
Continue

50 or 60 but at least 67 votes) and even the constitutional minimum has rarely been viewed as a political treaty “victory.” Below are the overwhelming votes for important recent arms-control agreements:

START I: 93 for, 6 against.
START II: 87 for, 4 against.
INF: 93 for, 5 against.
SORT: 95 for, 0 against.

This record suggests that getting fewer than 85 votes for New START might raise historical eyebrows. Some New START supporters insist that this is why the treaty must be voted up or down before the November elections, since there will be more Republicans in the Senate after November. But this conclusion seems nutty: Without significant Republican support, it will be a challenge to get 67, much less 80-plus votes for New START, before *or* after the November. And securing this level of Republican support is unlikely if the key concerns raised by Republicans are not adequately addressed.

What might turn things around? Releasing the treaty’s negotiating record in classified form. With this, critics and supporters of the treaty would be able to determine what, if any, treaty declarations, understandings, diplomatic note exchanges, or possible reservations might be useful. As I noted before, this can be done quickly if State and the majority choose to do so. Dragging their feet on the Republicans’ negotiating record request while rushing a vote in September or November could conceivably produce a dirty squeaker of a victory, but it is more likely to produce more delay and further unhelpful political polarization.

— *Henry Sokolski is the executive director of the Nonproliferation Policy Education Center in Washington, D.C., and author of Controlling the Further Spread of Nuclear Weapons, 2010.*

07/26 06:23 PM [Share](#)

© National Review Online 2010. All Rights Reserved.

[Home](#) | [Search](#) | [NR / Digital](#) | [Donate](#) | [Media Kit](#) | [Contact Us](#) | [Privacy Policy](#)