

INF passage: 'I weep for this Senate'

by Webster G. Tarpley

Promises are like pie crusts, made to be broken.—V.I. Lenin

On May 27, 1988, nearly six months after the Washington superpower summit, the U.S. Senate gave its advice and consent to the INF treaty by a vote of 93-5, with Republicans Helms, Humphrey, Symms, and Wallop, and Democrat Ernest Hollings voting in the negative. Senate approval of the INF has dealt a devastating blow to the future of the United States and of the Atlantic community.

It has opened the door wide to further sellouts on strategic arms limitation during the final eight months of the Reagan administration, possibly including the junking of the Strategic Defense Initiative. With a President who is insane in terms of the duties of his office and his paranoid wife poised in Helsinki to begin the Moscow summit, a new collapse of U.S. national will could be only days away. The Senate, having documented its own strategic insanity, will offer scant resistance.

Thus, the "bum's rush" ratification drive coordinated by U.S. Prime Minister Howard Baker, who stayed behind in Washington to direct this effort when President Reagan and his entourage departed for Finland, has yielded the first U.S. ratification of an arms control treaty in 16 years, with a Soviet Union that is regularly violating all the pacts it has ever stipulated with the United States, arms control or otherwise. The Soviets' right to one such violation, the SS-25 mobile missile, is even enshrined in the text of the INF. The Senate threw all scruples overboard in the rush to ratify, so as not to diminish the ephemeral "luster" of Reagan's photo-opportunity summit.

Ratification became inevitable in the short term when the group of Republican irreconcilables around Helms who had been delaying the treaty with killer amendments, suddenly caved in on Tuesday, May 24 in the face of a joint Byrd-Dole push for cloture that would have matured on Thursday with

a vote to cut off debate within 30 hours if a supermajority of 60 Senators were willing to consent. Helms, who had been ridiculing Reagan's astrological madness ("I'm not sure what sign he's under"), struck his colors almost at once, announcing "I'm licked." Helms and company dropped all obstructionism, giving up filibuster, and even the continuous objections that could have forced the Senate to turn to Reagan's trade bill veto message, which would have taken priority over the INF debate, assuring no treaty vote by summit time. Helms and Byrd had made a deal with Baker, and the obscenity was ratified.

Part of Jesse's *quid pro quo* became visible in the form of a Helms-Byrd-Dole-Simpson condition passed on Friday that called for "close and detailed coordination" by the White House with the Senate on START to obtain "general equivalence" in U.S. and Soviet forces, plus the stricture that "any joint declaration" concerning "a framework for the negotiation of treaties" shall not "constrain any military programs of the United States," unless the framework is formalized in a treaty and ratified.

The last close call for the INF came over the desire of the Nunn clique, originally expressed in the Biden Condition, to truncate the President's constitutional treaty-making powers in favor of parliamentary micromanagement. The White House had raised some *pro forma* objections against the Biden business, but Howard Baker refused to send a single White House lobbyist to whip up serious opposition. The White House would happily sacrifice the Constitution to get a quick fix on ratification. Even so, there was a danger that some moderate Republicans like Specter, Stevens, and Wilson might stage a revolt on the issue involved. A compromise wording was therefore crafted by Byrd, keeping the essence of the Biden innovation, but removing the pointed barbs of the plagiarist's offensive rhetoric.

Byrd's condition states that Senate approval of the INF is

“based on the Treaty Clauses of the Constitution,” so that the United States will “interpret the Treaty in accordance with the common understanding” that is “shared by the President and the Senate” at ratification. According to Byrd, the “common understanding” is “based on the text of the Treaty and the provisions of the resolution of ratification,” but also on the “authoritative representations” made by the Executive branch regarding “the meaning and legal effect of the text of the Treaty.” As a consequence, this country “shall not agree to or adopt an interpretation different from that common understanding” except by a new treaty, a new protocol, or the enactment of a unicameral statute.

Since Byrd’s blander rehash of the offensive Biden concept was still repugnant to a significant number of Republicans, a fourth paragraph was added to the Byrd condition by Sen. William Cohen (R-Me.). This additional paragraph states that “if, subsequent to ratification of the Treaty, a question arises as to the interpretation of a provision of the Treaty on which no common understanding was reached . . . that provision shall be interpreted in accordance with applicable United States law.”

Two-treaty monstrosity

The Byrd condition creates two treaties, one between the President and the Russians, and the other between the President and the Senate, with the latter far more restrictive. As Senator McClure pointed out in floor debate, the Byrd condition is “nothing more than another salvo in the battle over the ABM treaty” designed to “cripple SDI.” “This is not some one-time deal. This is an attempt to reinterpret the Treaty clause to alter the constitutional balance of power. It is an attempt to arrogate to the Senate the President’s right to make, interpret, and implement treaties. It is an unconstitutional power-grab, pure and simple.”

Senator Specter, although a supporter of the INF, took the point against the Byrd condition. He condemned the White House refusal to fight on the issue as “an unconditional surrender.” Specter scored an “unconscionable rush to judgment” on “perhaps the most important constitutional issue which has been on this floor for many, many years and perhaps decades.” Specter added that the “pending amendment is a switchblade knife aimed at the security of the United States” which “imposes a burden on the United States which is not imposed on the Soviet Union.”

In the meantime, U.S. District Court Judge Harold H. Greene had already incorporated the Biden-Byrd logic in a slip opinion in a dispute about a treaty with Iceland. But Bob Dole assured his senators they were “not going to have any impact on the Constitution whatever happens to this amendment.” The Byrd-Cohen condition was passed, 72-27.

The last chance to delay the treaty beyond the end of the summit, and thus perhaps kill it, came in a subsequent vote on a condition supported by Sen. Pete Wilson (R-Calif.) and some other Republicans, in an attempt to undercut the “two treaty” monstrosity wrought by Byrd-Cohen. The Wilson

amendment said merely the following: “The United States Shall not be bound to any interpretation of this Treaty that is not equally binding on the Soviet Union under applicable international law.” Interestingly, this attempt to put the two powers on an equal footing came close to derailing the bum’s rush. The Wilson condition was defeated by 53-45, along nearly straight party lines, with Hatfield, Weicker, and Stafford joining the Democrats, and Hollings the Republicans. This close call roused the ire of Grand Dragon Robert Byrd, who inveighed that “if we are going to have to deal with Mickey Mouse amendments like this one that was tabled, the President is not going to have his treaty before he leaves the summit. And that is no empty threat.” This was answered with cringing propitiation of the Majority Leader by Bob Dole.

On the following day, the treaty passed.

In approving the treaty, the Senate left one glaring ambiguity and probable drafting error in the treaty text (Art. VI, paragraph 2), which according to one reading allows the Soviets to manufacture missile stages for the SS-20 as well as the SS-25. Senator Pell admitted that the double negative in the text was a “very murky style,” but Senator Warner warned Wallop that he was proposing a “category 3 amendment” to the treaty text requiring renegotiation with the U.S.S.R., and thus, perhaps, delay. Wallop responded: “This is no killer amendment. . . . The argument, is ‘do not complicate my life.’ ” Will we, asked Wallop, “let stand an error that we know to exist? Mr. President, I weep for a Senate that would do that, and I weep for a country that has the representation that would permit itself to walk that road.”

After his purely technical amendment was voted down by the appeasers, 68-26, Wallop noted that the “Senate is sleepwalking.” “What must the Soviets be thinking of us, that this Senate would literally panic at the knees of the Great Bear?” “I hope that Senators are not walking out of this room today with their heads held high.”

A similar fate awaited the attempt of Sen. Ernest Hollings (D-S.C.) to save the conventionally armed ground-launched cruise missile from the ban imposed by the treaty. Hollings made an impassioned plea for the Atlantic alliance that went beyond the specifics of his amendment: “The INF treaty puts us into the dilemma of decoupling. It is not arms control. The intent of the INF treaty is to decouple the Alliance, sever the United States from its NATO allies, put them into the position of ‘Heavens above, we know the United States is not going to go nuclear to defend Turkey or Berlin or any little momentary incursion. Knowing that, we had better fend for ourselves.’ ” Hollings was voted down, 69-28. All that could be eked out in the general rout was a Murkowski amendment expressing the hope that no future treaties might limit U.S. air- and sea-launched cruise missiles.

The Senate is in big trouble, and the imbecilic ruling elite of the United States is in even bigger trouble. As for President Reagan, he is already talking about a fifth summit with Gorbachov.