

## Ratification of INF still not certain

by William Jones

In spite of the tone of optimism coming out of the just-concluded Shultz-Shevardnadze meeting in Geneva, where, it seems, all disputes over verification have been settled to everyone's satisfaction, the climate pervading the offices of the Senate Democratic leadership is much more cautious and skeptical. Shultz still has to present his case to the Senate, where the verification issue suddenly became a major bone of contention just weeks before the treaty was to be called up on the floor.

At that time, it seemed that the Soviets were renegeing on a number of verification issues to which they had agreed when the treaty was signed. Instead of acquiescing on the two questions of dispute raised by the Americans, the Soviets responded with seven questions of their own, as one Senate source put it, "thereby raising the ante to nine."

There had also arisen, in the meantime, some unclarity, expressed by Senate Armed Services Committee chairman Sam Nunn (D-Ga.), as to whether the treaty ban would include missiles of INF-range which were armed with "futuristic technologies" (e.g., lasers). The dispute over futuristic technologies, which is now settled—at least momentarily—lasted several weeks, with letters crisscrossing the Atlantic to determine such things as how the term "weapon" was to be defined in the treaty.

Democratic Majority Leader Sen. Robert Byrd (D-W. Va.) at that point resolved that he would not call the treaty to the floor until the administration procured a satisfactory response from the Soviets on the contested issues. The administration, seeing the danger of not getting a treaty by the time of the next Reagan-Gorbachov summit on May 27, sent George Shultz scurrying to Geneva to iron out the difficulties with Shevardnadze. Within two days, they came up with some form of agreement on the contested issues which will now be scrutinized by the Senate leadership before the treaty is called to the floor. (The agreements will undoubtedly also be scrutinized by the appropriate parties in Moscow, who may raise their own objections.)

A more fundamental reason for the delay, however, is a difference in attitude between the Senate leadership and the administration on the entire ratification process. The Reagan administration had hoped to ramrod the totally flawed treaty through the Senate as quickly as possible, that the President might have it as a calling card when he goes to Moscow. If Reagan arrives with no treaty, there will be very little to celebrate, for him or for Mr. Gorbachov, whose risky flirtation with *glasnost* has been permitted by the real guardians of the Russian Empire only on condition that he thereby achieve some major foreign policy gain. Without the INF treaty, the foreign policy gains of the *glasnost* charade become rather chimerical.

Both Reagan and Gorbachov may be interested in facilitating the INF treaty in order to have it in the showcase at the upcoming summit, but Senate Democrats are not so keen on meeting any deadlines. Senator Byrd has made this quite explicit several times during the floor debate, as recently as on May 9. "I do not intend to delay for the sake of delay," said Byrd, "but neither do I intend for this Senate to rush into something here just because there has been a calendar deadline set somewhere by somebody." Byrd also stressed a very important constitutional issue. "Once we approve the ratification of that treaty, that treaty is the law of this land. . . . If we make a mistake in passing a bill, that can be fairly easily rectified, simply by passing another bill repealing the first law. But when it comes to a treaty, if we make a mistake, we had better know it before we enter into its ratification."

Especially during an election year, Senate Democrats are not particularly interested in letting the Republican administration take total credit for a major agreement with the Soviets, especially one which is so obviously flawed as this one, only to be paraded about during the election campaign by Ronald Reagan's self-styled successor, George Bush.

This ratification debate promises to be a longer haul than some people are expecting. If the hurdle of verification is overcome, there remains the very controversial Biden amendment to be dealt with. This amendment, tacked on to the treaty when it was still in committee, concerns the question of where the ultimate interpretation of treaties actually lies, with the Executive or with the Senate. This is an issue which will undoubtedly be the subject of a rather heated and lengthy debate.

There are a number of other amendments which will be brought forward for discussion and deliberation, dealing with excluding conventionally armed cruise missiles from the treaty ban, the human rights issue, and linking the treaty to a build-up of conventional forces in Europe. This does not include eventual surprise amendments which may be under consideration by senators who are now playing their cards close to the chest. The big question, when all is said and done, is not whether the INF treaty will be ratified in time for the summit, but rather whether it will be ratified at all. Any assumptions at this point would be premature.