

Electoral Politics, Party Polarization, and Arms Control: New START in Historical Perspective

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Abstract

Do electoral politics influence nuclear strategy and treaty negotiations? After a hotly contested debate around the New START Treaty in 2010, President Barack Obama scheduled a ratification vote *after* the November midterm elections, during the lame duck session. The timing of the vote provided just enough political cover for a few moderate Republicans to break ranks and ratify the Treaty by just four votes. Conventional wisdom describes the politics surrounding New START as both an outlier and function of partisanship within the U.S. Senate. However, the opposition to New START was neither unique nor fully explained by ideology. Using historical evidence and data on Senate ideal points, I show that polarization and electoral politics drive partisan opposition to arms control and most fully explain opposition to New START. Continued trends toward polarization and party sorting may have dramatic and unforeseen consequences for the future of U.S. foreign policy outcomes.

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1 Introduction

On December 22, 2010, the 111th Congress met in a lame duck session to vote on the ratification of the New START Treaty, a bilateral arms control agreement that had been negotiated by the Obama administration over the course of 2009. Strategically, politically, and publicly, the administration appeared to have every advantage for passing the agreement through with little opposition: the initial START treaty had recently expired and there was need for a new agreement to continue inspections, Obama and Biden's close ties to the Senate (and Foreign Relations Committee in particular) boded well for inter-branch cooperation, and the treaty had overwhelming support from both the public and outside interest groups. However, after six months of hearings, where experts from both inside and outside the government had testified in favor of ratification, most conservative senators remained unconvinced of the merits of ratifying New START and threatened to torpedo its ratification. Concerned that moderate Republicans would be unable to break ranks so close to an election, Obama and Senate Democrats avoided putting the treaty to a vote before the November midterms. However, significant losses in the midterm elections, the retirement of two pro-treaty Republicans, and the primary loss of one pro-treaty senator to a Tea Party conservative virtually guaranteed that the treaty would not be ratified under the new Congress. During the lame duck session, the contentious floor debate had to be ended by invoking cloture, and the treaty was successfully ratified by a margin of only four votes.

Do domestic politics influence arms control agreements and strategic security? While the experience in December 2010 might suggest that the answer is clear, New START was in reality an historic case of domestic opposition to a bilateral arms control agreement. Of the eight arms control agreements the United States has signed with either the Soviet Union or Russian Federation, New START stands alone in the significant number of 'nay' votes it generated from Senate Republicans. What made New START different than past agreements? This paper explores why formal domestic opposition to New START exploded, and argues that the increasing polarization of the Senate is responsible for the extraordinary opposition to an otherwise unremarkable arms control agreement.

The conventional wisdom around New START paints opposition to the treaty as a function of partisanship within the U.S. Senate. Analysis of the political process that led to ratification suggests that Obama had a particularly difficult time getting New START ratified both because of his political party and distrust amongst Senate Republicans after his April 2009 speech in Prague that espoused his desire for a nuclear-free world (Homan 2012). Additionally, existing explanations focus on the ideological makeup of the Senate, arguing that partisanship driven by conservative ideology resulted in a more obstructionist Republican party during the 111th Congress than previously seen before (Kingston 2011). The literature on arms control and treaty politics generally agrees: the Senate has indeed become more partisan and ideologically-driven, leading to changes in the way that presidents conduct foreign policy (Peake et al. 2012; Krutz and Peake 2009; Auerswald and Maltzman 2003; DeLaet and Scott 2006; Andres and Griffin 2013; Wayne 2013).

This paper improves upon existing work to develop a clearer and more parsimonious explanation for why formal opposition to arms control agreements exploded under Clinton and Obama. It presents a theory that both explains the temporal trends that impact opposition to arms control agreements and holds predictive power for future ratification debates. I argue that as the two parties move farther apart on the ideological spectrum, opportunities for bipartisan legislation decline exponentially, impacting the ability of the Senate to ratify any arms control treaty with the 2/3 super majority required by the constitution. This theory thus uses polarization—the distance between the ideological center of each party—as its primary explanatory variable, rather than the ideological score of either individual party or a measure of partisanship. The high vote threshold required to ratify treaties, combined with the rapid polarization of the Senate, suggests that the ratification of future treaties and agreements is highly unlikely in today’s political environment, regardless of the merits of the legislation. Most importantly, as New START is set to expire in just five years, these changes have direct consequences for the way that the Trump administration will be forced to approach arms control and proliferation issues.

The paper uses a combination of historical materials, deductive modeling, and large-n data on Senate

ideal points to show that as polarization increases, the likelihood of ratification declines exponentially. I derive a parsimonious model that explains how decreases in the bargaining space between the two parties affects bipartisan cooperation, and introduce a theory of ratification based upon polarization in the Senate. Using primary and secondary sources, I then show that opposition to the New START treaty was principally partisan in nature, with the most conservative senators voting against the treaty despite acknowledging its relatively modest aims. Alternative explanations are unable to explain both the unique nature of New START and the partisan breakdown of the vote. I finally then expand the scope of the argument beyond bilateral arms control agreements to arms control treaties more generally, using the model to predict the number of nays votes a treaty should receive as a function of polarization levels in the Senate. Overall, I find that polarization provides a persuasive and parsimonious explanation for why some treaties are more contested than others over time, and conclude with some of the policy implications of increasing polarization in the United States.

2 New START in Historical Perspective

Arms control agreements and non-proliferation treaties profoundly affect state security outcomes and bilateral relationships between great powers. They are meant to mitigate security dilemmas, halt arms races, and provide assurances to other nations that nuclear states are behaving responsibly with regards to their arsenal of weapons. Each agreement is inherently a set of trade-offs between long-term security assurances and short-term concessions that compromise some aspect of autonomy or secrecy. Because each state prioritizes these tradeoffs differently, negotiations often take years and are meant to lead to accords that are durable and lasting. The “sticky” institutions of arms agreements therefore have lasting impacts on a state’s capabilities regarding weapons development, acquisition, and modernization.

Despite the importance of arms control agreements in hindering proliferation and preventing arms racing, relatively little attention has been paid to the domestic politics of arms control treaty ratification. Arms control agreements are a tough test for liberal theories of domestic political influence on international

politics. International relations realists suggests that clear international and existential threats will dwarf bureaucratic and parochial domestic influences on international relations (Posen 1984; Waltz 1979; Desch 1999). Because they address the one class of weapons that have the power to threaten the independence and survivability of the United States and its people, arms control agreements are least likely to be susceptible to the influences of domestic, parochial politics. The literature has instead traditionally seen agreements as a technical problem to be solved: given clearly defined objectives, the right set of technologies and balance of power, arms control agreements could be successful in reducing uncertainty about forces, prevent arms racing, and increase strategic stability (Brodie 1976; George 1978; Drell and Wisner 1980; Chayes and Chayes 1990; Blackwill 1988). As a result, while there was a robust discussion about various individual arms control treaties before the end of the Cold War and a thorough investigation of why arms control agreements are as (un)common as they are, debates about how domestic politics influence arms control are generally lacking in the canon of explanations (Blechman 1980; Bertram 1981; Frye 1980; Sharp 1981; Nye 1982).¹ Of these, even fewer can be considered generalizable theories.²

Further, the intellectual development of the few theories that existed essentially halted after the end of the Cold War. Some scholarship analyzed the influence of Soviet and Russian domestic politics on the Duma's willingness to ratify arms control, but intellectual development on the ways in which Congress and domestic politics shaped arms control essentially arrested with the ratification of the START I agreement (Lepingwell 1995; Seay 1989). Though a large body of scholarship examined the bilateral agreements between the U.S. and Soviet Union in detail (Frye 1980; Sharp 1981; Burt 1979; Gelb 1979; Lepingwell 1995; Mazarr and Betts 1993), there has been comparatively little written about the New START agreement since its ratification in 2010, despite its technological innovations in verification protocols and the degree of contention around the treaty (Gottemoeller 2010; Karako 2012; Pifer 2010; Peake et al. 2012).

Despite this relative inattention to domestic factors, we know that Congress plays a vital role in shaping

¹For some exceptions to this, see Clarke (1979, 1983); Barton (1981); Wayman (1985); Fascell (1987); Krepon and Caldwell (1992).

²Notable exceptions are Morrow (1991); Stoll and McAndrew (1986) and Miller (1984).

and implementing defense initiatives and foreign policy (Milner and Tingley 2015; Auerswald and Maltzman 2003; Franck and Weisband 1979; Hersman 2000; Johnson 2006; Kaufman 1990; Lee 2009; Lindsay 1994; CRS 2001). Demands for the modernization of nuclear forces and budget expenditures on the nuclear weapons complex have often held hostage the aims of arms control and established a vital link between modernization and strategic arms control (Stockton 1991; Miller 1984; Bunn 1991; Kruzel 1986; Hyland 1982; Burt 1982; Laurance 1980). Congressional activism regarding defense acquisitions and nuclear policy has waxed and waned over time, with some arguing that as Congress becomes increasingly independent, we are more likely to see additional demands to link force modernization with arms control agreements (Art 1985; Blechman 1990; Lindsay 1991, 1987; Holland 1990). A deep body of case studies have analyzed and described the ratification, approval, and acquisitions processes through Congress with regards to specific defense systems, but there is little that explains Congressional action across time.³

As a result, scholars have only now begun to re-examine old assumptions about treaty ratification in the post Cold War world, and domestic politics have come into sharper focus as a causal factor behind treaty ratification debates. In particular, political ideology and increased partisanship have been identified as key reasons why presidents since the end of the Cold War have had a more difficult time passing arms control agreements (Homan 2012), and treaties more generally (Peake et al. 2012; Krutz and Peake 2009). Peake et al (2012) argues that the increasing level of partisanship in the Senate makes bi-partisan legislation much more difficult to pass, resulting in the increased use of executive agreements, which only require a simple majority in the Senate. Trends toward increasing partisan polarization result in fewer treaties overall, and those that are submitted to the Senate take longer to make it through committee. The major focus of Peake et al (2012) is on the initial decision whether to submit a treaty for ratification or to pursue an executive agreement. It identifies an important dynamic relationship where presidents can assess the probability of getting an agreement or treaty passed and then adjust their strategy according to polarization.

³Two notable exceptions make generalizable claims about domestic and Congressional politics: Miller (1984) and Stockton (1991).

However, executive agreements are considerably less durable than treaties, and we observe, that presidents often spend considerable amounts of time and political capital in order to get treaties ratified (Talbot 1980). Domestically, the legally-binding nature of ratification accomplishes two goals. First, it adds legitimacy to the treaty, both with a domestic public and in the international community (Miller 1984; Martin 2000, 2005). Second, ratification ensures continuity across Congresses and administrations — if a president is unsure of a Congress’s willingness to comply with the terms of a treaty (either by altering funding levels or supporting various interest groups), ratification becomes an essential step in its implementation. Additionally, a free press, competitive elections, and a multi-party system result in increased information about state capabilities and credibility; this domestic competition, heightened during election seasons, can send strong signals of either unity or disunity to other states involved in negotiations, thereby affect the U.S.’s bargaining power and position (Schultz 2001).

There are, therefore, times when presidents cannot use executive agreements, and must negotiate and ratify treaties that are in the interest of the American state. One of the most prevalent instances of this necessity is arms control. Arms control treaties and negotiations should be (and in many cases are) seen as a distinct class of treaties because of their importance in confronting truly existential threats to American national security—nuclear and unconventional weapons. Arms control agreements require long-term, coordinated, and consistent action across administrations, Congresses, and public moods, which makes executive agreements highly undesirable. As a result, it would be a mistake to focus only on the decision to submit an arms control treaty for ratification. Instead, we must look at opposition to arms control agreements from the perspective of the floor of the Senate, once a treaty has already been submitted.

Of the few recent studies that consider the role of domestic factors on arms control treaty ratification specifically, they paint an incomplete picture of the causal factors behind Senate floor votes. Homan 2012 identifies eight themes that were important to treaty ratification during the Cold War, but does not make a causal claim about any of them, merely reporting that four variables (efforts of the executive branch, highly competent advisors, support of defense leaders, and support from key actors) are correlated with

Table 1: Bilateral Arms Control Agreements

Treaty	Signed	Ratified	Yea	Nay	President
Strategic Arms Limitation Talks (SALT) I	May 1972	Aug 1972	88	2	Nixon (R)
Anti-Ballistic Missile (ABM) Treaty	May 1972	Aug 1972	88	2	Nixon (R)
Strategic Arms Limitation Talks (SALT) II	June 1979	NR			Carter (D)
Intermediate-Range Nuclear Forces (INF) Treaty	Dec 1987	May 1988	93	5	Reagan (R)
Strategic Arms Reduction Treaty (START) I	July 1991	Oct 1992	93	6	Bush 1 (R)
Strategic Arms Reduction Treaty (START) II	Jan 1993	Jan 1996	87	4	Clinton (D)
Strategic Offensive Reductions Treaty (SORT)	May 2002	Mar 2003	95	0	Bush 2 (R)
New START	Apr 2010	Dec 2010	71	26	Obama (D)

successful ratification efforts in the post Cold War world. Further, Homan dismisses entirely the predictive power of the domestic political context. Other explanations point to the party of the president, arguing that Democrats are less likely to pass arms control agreements because of a natural conservative ideological skepticism to arms control. However, while on the surface this appears to be a parsimonious explanation (no Democrat had ever successfully ratified a bilateral arms control agreement until Obama), a closer look at the debates and history of arms control reveals that, up until the 1990s, Republicans showed very few signs of being skeptical of arms control packages. Nay votes during the Cold War were from Democrats as often as they were from Republicans. Until New START in December of 2010, most arms control votes were ratified with far more than the 67 required ‘yea’ votes. (See Table 1). This historical lack of formal contestation suggests either that arms control agreements were almost universally favored by both parties or elites had little incentive to oppose such an agreement. What can explain this dramatic departure from the norm?

3 Polarization and Arms Control

This paper posits that the existing literature on arms control agreements is missing a substantive discussion of a key component that affects ratification: the role of partisan and electoral politics. I seek to correct this oversight, and argue that domestic political polarization, partisan sorting, and electoral math play a key role in the ratification of arms control agreements, including but not limited to the New START agreement

of 2010. I show that because polarization and sorting lead to more ideologically extreme and homogenous parties, incentives to vote for bipartisan agreements decrease substantially, and bipartisan cooperation is in fact punished as disloyalty by an opposition party. As a result, though arms control treaties are one of the few remaining issues for which there is overwhelming popular support, the two-thirds majority vote requirement for ratification becomes considerably more difficult to attain as parties become increasingly deaf to the moderates of their parties. When senators are most dependent on their party's support to remain in office, we should observe fewer 'yea' votes from an opposition party. By contrast, when senators are least dependent upon their party's support to retain office, we should observe more bipartisan cooperation.

This paper is by no means the first to offer a theory of Congressional vote-casting and law-making, yet it does tackle two important and relatively new phenomenon that current theories either dismiss or omit: the strength of political parties and increasing ideological polarization of the Senate, and the impact of these forces on issues traditionally seen as non-partisan, such as arms control.⁴ The leading literature on congressional voting tends to focus on the importance of one of three factors: the majority coalition (Schattschneider 1942; Association 1950), median voter (Black 1958; Arrow 1951; Plott 1967; Riker 1980) or the pivot voter (Krehbiel 1998). This literature, however, deals almost exclusively with the need for a simply majority vote and therefore has little to say about treaties that require a 2/3 majority for ratification, aside from the simple assertion that the minimum winning coalition must be larger—these theories do not then explain the wide margins by which most arms control treaties passed. Only Krehbiel (1998) introduces a theory that takes into account the supermajority requirements in the Senate (regarding filibusters and veto-proof majorities); it is both non-partisan and assumes that political parties are fairly weak—in Krehbiel's model, so long as the policy being proposed is ideologically moderate enough to appeal to a broad coalition. While this theory adequately explains the consensus around previous bilateral agreements, it does not explain the contestation around New START.

I offer a theory that explains why the influence of parties, polarization, and electoral politics disproportion-

⁴The literature and diversity of theories on congressional voting is too large to list in its entirety here, but see Fiorina (1996) for a thoughtful review of the principal works that describe how congressional majorities are formed to pass laws.

ately influences resolutions of ratification, even with traditionally non-partisan issues such as arms control. As parties coalesce around social and cultural issues as well as economic ideologies, their minimum-winning coalitions become increasingly homogenous and senators therefore lose incentives to appeal to constituents who value bipartisanship or moderate behavior (Carmines et al. 2011). This results in the polarization of the electorate and the legislative branch more generally and decreases the number of cross-cutting cleavages that enable bipartisan coalitions to form.

There are two primary consequences to this development from a legislative perspective. First, the lack of compromise and bipartisan activity results in less legislation getting passed more generally, and considerably decreases the prospect of any legislation being enacted during periods of divided government (McCarty et al. 2006). As the two groups move farther away from center and continue to purge moderate members from office, the opportunities to pass legislation that agrees between both houses of Congress and will be signed by the president decrease significantly. Additionally, and perhaps more perniciously, as minimum winning coalitions are increasingly built with a majority of the majority party, rather than the majority of both parties, the mean ideal point of the coalition shifts away from the chamber means toward the left and right flanks of the party. This means that, counterintuitively, during times of more intense polarization when party unity is high, legislation is more likely to be extreme and attract centrist members even less (Hare and Poole 2014).

While trends toward polarization and sorting have been present for over forty years, the assumption in the literature on arms control has been that these trends are of little importance when compared with the broader picture of arms control.⁵ Yet, this view in international relations is rapidly evolving toward a more nuanced understanding of the incentives that leaders face when conducting business in the international arena. In general, all policy is a balance between the expected costs to legislation and the benefits that it will provide to society. With proliferation issues however, the short terms costs of arms reductions and limitations on technological development can outweigh the long-term, intangible benefits of an arms

⁵For notable exceptions, see Barton (1981); Miller (1984); Krepon and Caldwell (1992), and the work of Duncan Clarke

control agreement (Goldgeier and Saunders 2017). While the costs of arms control are visible and tangible (money taken away from building additional weapons, establish nuclear parity with a rival power, limiting offensive and defensive strategic capabilities), it is difficult for politicians to campaign on potential wars that have never been fought, or an arms race that never occurred. The role of arms control agreements in maintaining peace and generating strategic stability, while theoretically important, can never truly be quantified. As a result, what may be in the long-term strategic interest of the United States may not be enough to get votes should the immediate costs be perceived as too great. Therefore, Congress, as the representatives of the public, has a powerful role to play in the ratification of arms control agreements.

Congress can influence arms control agreements through two primary mechanisms: its ability to shape negotiations through the power of the purse, and its obligation to “advise and consent” during the ratification process. Arms control treaties inherently involve negotiations over significant defense-related expenditures, not the least of which are research and development and procurement contracts. As Congress is the body of government with the ability to levy taxes and appropriate expenditures, ex ante budget requirements set by Congress play a key role in the aims of arms control as well as the mechanisms through which compliance is monitored and verified. Senators unwilling to give up important manufacturing and production jobs in their state may take an interest in ensuring that funding for certain kinds of technologies is preserved and not bargained away in an arms control package, while budget cuts enacted by Congress may require negotiators to build in cost-saving measures into an agreement.

The Senate is also responsible for ratifying all treaties signed by the United States. This more direct influence on the effect of an arms control agreement is exerted through the various committee hearings and floor debates conducted before a final vote on ratification, which must pass the chamber with over two-thirds in favor. Hearings on the relative merits and weakness of the treaty are held over the course of months, while experts both in and out of government are summoned to testify on various aspects of the treaty. By law the purview of the Committee of Foreign Relations, arms control treaty hearings are comprised of the testimony of experts to senators who are most familiar with the nuances and complexities

of international relations.⁶ As a result, it is the committee best qualified to articulate the relative costs and benefits of arms control because its membership is principally composed of senators educated on both the long-term benefits and costs of bilateral arms control. The committee then votes on whether the treaty should be granted a vote by the full Senate, and after floor debate by the full body a ratification vote is held.

However, in a polarized political environment, finding common ground on any issue can be difficult, let alone generating enough agreement to ratify an arms control treaty with sixty-seven ‘yea’ votes. Polarization generates an ideological map that significantly decreases the amount of common ground that senators of either party share, and therefore reduces the ability of parties to work together to support efforts that are considered moderate. Hare and Poole 2014 Further, bipartisan activity becomes a bigger liability as national parties gain more influence over state elections, including Senate races. Moderate senators are punished for bipartisan votes by hardline challengers in primary contests, further removing incentives to cooperate with members of the opposite party. As a result, as the space between the most moderate senators of each party increases toward their respective poles, this lack of common ground results in significantly reduced chances of passing agreements that, by their very nature, require bipartisan support.

A hyper-partisan environment therefore results in two predictable phenomenon: 1) the president’s party will uniformly vote for his/her proposals in Congress, including treaties, and 2) bi-partisan voting is much less likely. Because party uniformity becomes essential to advancing a legislative agenda, there are fewer cross-cutting cleavages in the electorate, and legislators are more dependent upon national party support to get reelected, partisans are much more likely to vote in blocs during times of high polarization than when the legislature is more mixed because the rewards significantly outweigh the costs. Further, bi-partisan behavior is likely to decline because the costs of a mixed voting record far outweigh the benefits of being seen as “moderate.”

Further, if we assume a normal distribution of left-right ideology amongst political parties, this relationship

⁶Many times (including during the debate over New START), the Senate Armed Services Committee will hold hearings as well.

Figure 1: Bargaining Space
Means Close to Center

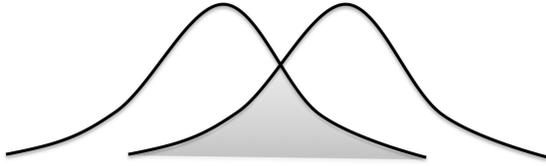
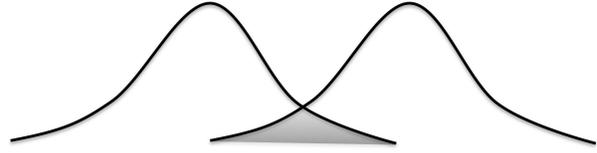


Figure 2: Bargaining Space
Means Away from Center



is exponential in nature, rather than linear.⁷ When the distance between moderates overlaps, changes in one direction or another will likely have little impact on bipartisan bills, so long as there remain moderates that overlap on ideology. However, as the two parties separate and moderates become more scarce, even small changes in the ideal point of a moderate senator are likely to have disproportionate effects on the amount of bipartisan activity is likely to be successful. Further, this effect is likely to be even stronger during periods of intense polarization when a party is actively altering its distribution to have a longer right (for left-leaning parties) or left (for right-leaning parties) tail, such as during elections. As politicians seek to describe their differences from the opposite political party and appeal to their base of voters to get reelected, bipartisan activity is a particular liability. As a result, the more polarized the Senate becomes, it becomes exponentially harder to pass any legislation with bipartisan support. And as elections draw closer and politicians appeal to their conservative/liberal base for votes, support for a bill negotiated by the opposite party becomes increasingly unlikely. For legislation that requires a two-thirds approval, this feat becomes nearly impossible, even with issues as publicly popular as arms control.

However, the timing of when treaties are put to a vote in the Senate is also a dynamic interaction. After elections have passed and politicians are less dependent upon their base of voters to retain office, the effects of polarized partisan politics may be mitigated as moderate senators are more free to support bipartisan legislation. In this sense, both the president and his co-partisans in the Senate can and do act strategically in order to ensure that ratification has the greatest probability of success during highly polarized times. As a result, votes on divisive issues that require bipartisan cooperation may be delayed for a lame-duck

⁷see Appendix A for an explanation of why changes in the party means, as well as decreases in the variance, generate results that are exponential in nature. This model is then used in the latter sections of the paper to predict ‘nay’ votes on arms control treaties more generally.

session held immediately after elections but before the new Congress takes over the following January. By delaying a vote on ratification until after elections, Senate leaders can remove some of the political power that each party holds over its politicians, and may result in more bipartisan cooperation. Further, holding votes during a lame-duck session (rather than with a new Congress) protects against trends of increasing polarization that may accelerate with a new Congress.

4 Partisan Politics and New START

This section evaluates the role of domestic politics and polarization in the negotiation and ratification of the 2010 New START Treaty. It uses an historical analysis of memoirs, primary source material on the treaty negotiations and Senate hearings, as well as statistical data on partisanship and ideology to show that polarization, partisan politics, and electoral pressures are principally responsible for the disagreement over ratifying the New START treaty. This section shows first that polarization has been steadily increasing in the United States since 1970, and describes the changing ideological landscape over the history of arms control agreements leading up to the New START vote. I then evaluate how domestic politics affected the negotiation of the treaty, after which I explore the mechanisms described above to understand how polarization and partisan politics impacted the ratification of the treaty in the Senate. I conclude that shifts in the ideological landscape resulting from political polarization roughly correspond with increases in votes against ratification during Senate hearings over the last fifty years, with election years offering more skepticism than non-election years. Finally, I find that the passage of New START was only possible because the vote was held during the lame duck session, after the more moderate senators were no longer dependent upon hard line conservative support and were free to engage in bipartisan cooperation.

The data that are used in this paper come from the DW-Nominate project in American politics, which analyzes every roll call vote a Representative or Senator records and ascribes an average ideological index to each legislator in each Congress. With the center normalized at zero, the data then show a generally bimodal distribution of political ideologies, with Democrats on the left (ideal points below zero for more

liberal votes) and Republicans on the right (ideal points above zero for more conservative votes). As a result of the methodology, ideal points are comparable for Senators between Congresses, allowing us to track the relative ideological progression of legislators throughout their time in office. Further, they are comparable within Congresses, allowing us to measure differences in ideologies between different legislators.

4.1 Polarization in America Since 1970

While the degree of congressional polarization has varied considerable over the course of American history, data suggest that polarization has been rising dramatically since the 1970s as Democrats and Republicans sorted over social and cultural issues, becoming more homogenous and with fewer cross-cutting cleavages that encouraged bipartisanship. As a result, the ideology of each party has gradually shifted away from center and become more extreme. This has subsequently increased the amount of radicalization in the parties, and lead to far fewer moderates on both sides of the aisle while increasing the number of Senators on the extreme edges. Figure 3 shows the move toward extremes and widening gap between the means of the two parties.

What has caused this trend toward polarization? Changes in voting demographics, voter participation, and social welfare appear to play a significant role. Rising income inequality, combined with changes in immigration trends over the last forty years has led to an increase in the percentage of the electorate reliant on social welfare programs. Because low-income citizens typically exhibit lower levels of political participation, this trend has essentially shifted the ideal point of the median *voter* right-ward, resulting in an active electorate that is increasingly less supportive of government redistribution programs than the public writ large (Piketty and Saez 2003; McCarty et al. 2006). This trend explains why Figure 3 reveals that Democrats since 1970 have remained essentially stagnant in their average ideal point, while Republicans have become increasingly conservative and supportive of repealing existing social safety nets. Today, the American electorate is the most polarized it has been since the Civil War (Hare and Poole 2014).

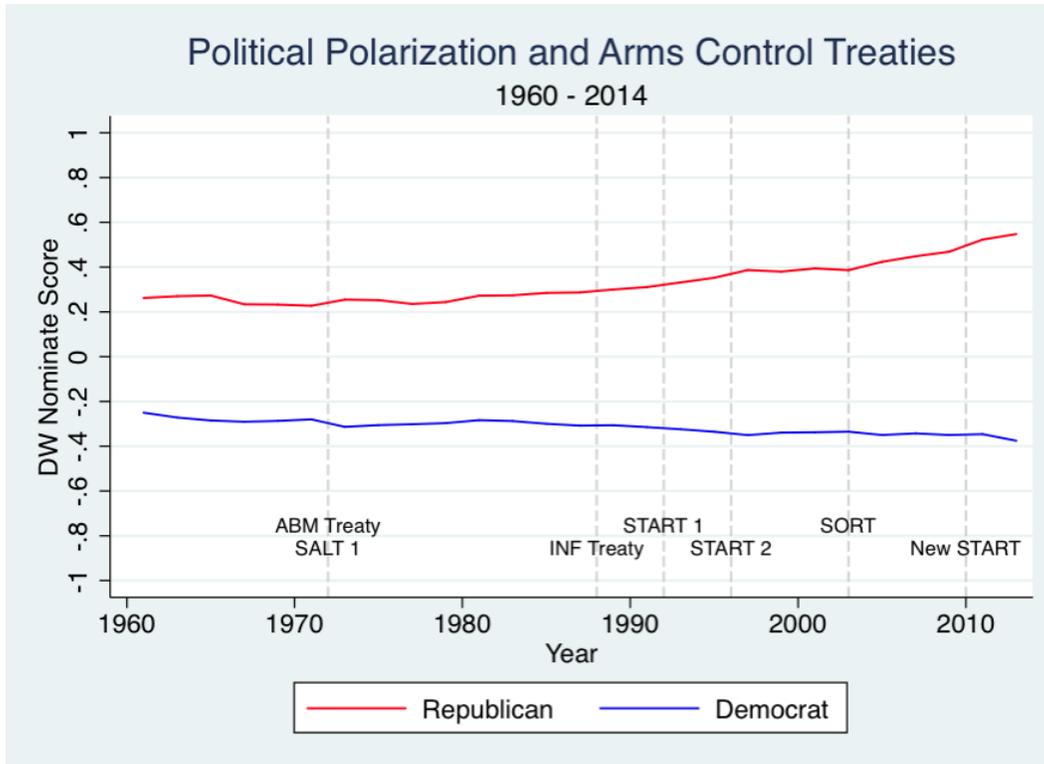


Figure 3: Polarization in America, 1960-2014

4.2 New START: Start to Finish

The original START treaty, signed and ratified in 1992, was set to expire in December of 2009, prompting the newly-elected Obama administration to place a high priority on negotiating a new arms control agreements with Russia early on in its tenure. Negotiations were discussed almost immediately upon entering office as part of the administration’s comprehensive “reset” of relations that had soured over the final years of the Bush administration. The need for an agreement was considered critical — the expiration of START would result in a cessation of monitoring and verification mechanisms that the U.S. used to keep track of Russian strategic capabilities and deployments. Even with SORT still in effect, its lack of verification protocols meant that in December 2009 the U.S. would become essentially blind to the Russian nuclear program, aside from what intelligence could be gather via surveillance through national technical means. Despite skepticism from the Republican minority in Congress, Obama officials began negotiations with Russian representatives in April 2009 in Rome (Baker and Cooper 2009).

Upon meeting, the negotiators from each side realized that they had very different ideas about the nature of the agreement and were addressing different concerns within their governments (Gottemoeller 2014, p. 170). The United States favored a treaty similar to the original START agreement, which would include a set of stringent verification measures and close cooperation between the two sides in order to limit proliferation. The Russians came to the negotiating table favoring an agreement more like the SORT treaty signed in 2003, with an outlined set of goals but limited verification. Further, after the financial crisis of 2008 and the infusion of stimulus funds into the economy as the government attempted to stave off the collapse of major industries, U.S. negotiators were keenly aware of the possibility of austerity, and the high likelihood that an expensive arms treaty would have neither congressional nor public support (Gottemoeller 2014, p. 171). As a result, through innovation and cooperation between the two sides, negotiators were able to develop the Type 1 inspection, a more accurate and efficient inspection protocol than any treaty before (Ibid). This type of inspection accomplished two things: 1) it counted the physical number of warheads on a delivery vehicle, rather than rely upon assumptions of the number of warheads each launcher was capable of holding at maximum capacity; and 2) it combined previously individual verification and inspection facility trips into a single trip that inspected all type of verification means and facilities (United States Senate 2010, p. 62). The number of inspections granted by the treaty (18) in fact doubled the number of inspections per facility the United States is able to conduct at a fraction of the price (United States Senate 2010, p. 63).

Additionally, the treaty was conducted with a respect for congressional preferences and emphasis on missile defense and military preferences for modernization packages. Well aware that the treaty was unlikely to be ratified if it included restrictions on missile defense systems, negotiators specifically left missile defense off of the agenda (United States Senate 2010; Collina 2010c). The only two mentions of defensive systems over the entire treaty occurred in the non-binding pre-amble (where both countries acknowledged the generally interrelated relationship between offensive and defensive systems) and a restriction against repurposing offensive ICBMs into defensive missiles— an extraordinarily costly project that the United States had no plans to pursue. The treaty also included no restrictions on the modernization of weapons at the request of the military establishment. Concerned that “the threat to the U.S. deterrent lies not in an arms control

Table 2: Limits Set by New START

Type	Number
Nuclear Warheads (Deployed)	1,550
Total Launchers (ICBM, SLBM, heavy bombers)	800
Deployed Launchers (ICBM, SLBM, heavy bombers)	700

agreement, but the failure to invest in our nuclear infrastructure,” the Department of Defense submitted a proposal to Congress to transfer \$4.6 billion to the Department of Energy as part of a modernization package that would accompany the New START agreements (United States Senate 2010, p. 61). Each of these negotiations were intended to satisfy more hawkish domestic actors concerned about the effect that an arms control agreement would have of the readiness of U.S. nuclear readiness, as well as continue funding for projects that were being constructed in many senators’ home states, ensuring that domestic jobs would not be lost due to the agreement (United States Senate 2010). A summary of the treaty can be found in Table 2.

President Obama signed the New START agreement on April 8, 2010 and sent the treaty to the Senate for confirmation the following month. On the eve of the signing, both the United States and Russia issued statements about the treaty, but a specific unilateral statement from the Russian government provoked considerable concern amongst senators about the restrictions of the treaty on missile defense. The statement, which asserted that should the United States engage in a “qualitative or quantitative” buildup of missile defense capabilities, Russia would withdraw from the treaty, was quickly refuted by the State Department and other officials who pointed to similar statements made by the Russian government about previous bi-lateral arms agreements. Further, they argued that while the “extraordinary events” clause in the opt-out provision of the treaty is self-judging, it, “does not express a legal right or obligation, nor does it change any of the legal rights or obligations of the Parties under the Treaty” (Department 2010).

Nevertheless, the statement heightened the concerns of Republicans already skeptical of the treaty, and

questions about the implications of the treaty on U.S. missile defense efforts were present throughout five months of hearings sponsored by the Committee on Foreign Relations (Collina 2010d). The committee, which was composed of 11 Democrats and 8 Republicans, was chaired by Senator John Kerry of Massachusetts, who would later go on to replace Hillary Clinton as the Secretary of State. Hearings on the treaty spanned almost six months, and included testimony from a broad range of actors, from military officers to government officials to academics and civilian experts in the field. Questions and concerns during testimony focused on three principal issues: missile defense, the inspection protocols and verification regime, and the numerical components of the treaty. Stated Senate minority leader Mitch McConnell, “The Obama administration will need to meet three requirements if it expect favorable considerably of the START follow-on treaty... whether or not the agreement is verifiable, whether it reduces our nation’s ability to defend itself and our allies from the threat of nuclear armed missiles, and whether or not this administration is committed to preserving our own nuclear triad” (Collina 2010c).

Each expert testified that while certain parts of the treaty could have been better in an ideal world, the negotiated agreement was popular with allies, would model U.S. leadership around the globe, build confidence in U.S.-Russian relations, and fulfill U.S. obligations to pursue disarmament as part of its commitment to the Non-Proliferation Treaty. Further, experts agreed that a failure to ratify would have devastating consequences globally. When asked about the consequences of not ratifying the agreement, even former Republican administration officials admitted its importance: Former National security advisors Brent Scowcroft and Steve Hadley stated that rejection, “would be to throw the whole nuclear negotiating situation into a state of chaos,” and that New START makes a “modest but nonetheless useful contribution to the national security of the United States and to international stability” (Collina 2010b). In the end, every expert asked to testify before the Foreign Relations Committee recommended that the treaty be ratified (United States Senate 2010).

The decision to vote the treaty out of committee and onto the floor of the Senate raised additional concerns about polarization. Holding a vote so close to a midterm election, where Republicans were actively cam-

Table 3: Republican Senators on the Foreign Relations Committee, 111th Congress

Name	State	Vote	Ideal Point	Election Year
Y Average		Yea	0.376	
N Average		Nay	0.678	
<i>Caucus Avg</i>			<i>0.469</i>	
J. Isakson	GA	Yea	0.493	2010
R. Corker	TN	Yea	0.401	2012
R. Lugar	IN	Yea	0.234	2012
J. DeMint	SC	Abs	0.933	2010
J. Risch	ID	Nay	0.792	2014
J. Inhofe	OK	Nay	0.757	2014
J. Barrasso	WY	Nay	0.680	2012
R. Wicker	MS	Nay	0.483	2012
<i>FRC Average</i>			<i>0.597</i>	

paigning against Obama’s legislative agenda, substantially increased the risk of the treaty being rejected by Senate Republicans. Reported Tom Collina with *Arms Control Today*, “Some treaty proponents are concerned that the closer the vote gets to the election, the more partisan the debate may become. Lugar, the only Republican to publicly endorse the treaty, reportedly argued internally that the committee vote should have proceeded as planned on August 4” (Collina 2010a) However, waiting until the next Congress had significant potential drawbacks as well. “In the next Congress, opinion polls suggest there may be more Republicans in the Senate. Depending on the number of Republicans elected, there may be less incentive for McConnell and Minority Whip Jon Kyl to agree to a vote on New START during a lame duck session” (Collina 2010a).

New START was voted out of committee in September 2010 by a vote of 14-4, with four of eight Republican senators voting against the treaty (and one abstention) despite the universal recommendations of experts across the field. Citing concerns about missile defense and a distrust of the Obama administration’s nuclear agenda, they asserted that the treaty would ultimately fail to protect the United States from foreign threats. Remarked Jim DeMint (R-SC) as he voiced his support for relying solely on ballistic missile defense, “This START agreement does not defend the people of the United States... If we can shoot down their missiles, they won’t build nuclear weapons” (Collina 2010e). A cursory glance at Table 3, however, reveals that partisanship and ideological conservatism may in fact be more predictive of support for the

treaty. On average, the senators who voted against ratification were almost twice as conservative as those who voted in favor, suggesting that their votes were less influenced by the merits of the treaty and instead a symptom of increasing polarization.

The floor debate and ratification vote during the lame duck period focused primarily on concerns about the timing of the vote and reflected a distrust of the Obama administration's commitment to maintaining U.S. strategic security. Throughout the midterm election season, partisanship determined much of the opposition to the treaty— *Arms Control Today* reported that, “many potential 2012 Republican presidential candidates, including former Alaska Governor Sarah Palin, former Massachusetts Governor Mitt Romney, for House Speaker Newt Gingrich, and Senator John Thune came out against it” (Collina 2011) In addition, both the Senate Minority Leader Mitch McConnell and Minority Whip Jon Kyle were adamantly opposed to the treaty, despite McConnell's long history of support for arms control agreements.

Citing concern over Obama's 2009 speech in Prague where he maintained a desire to eventually achieve “nuclear zero”, Senator Jon Kyl (R-AZ) declared in the *Wall Street Journal*, “To win the 67 votes needed to ratify [New START], President Obama is going to have to do more than defend the provisions of this one document” (Kyl 2010) In an unprecedented step, he and other conservative Republicans demanded that Obama open up the negotiating record behind New START before the vote be held, despite warnings from experts in the the field of arms control that doing so, “might delay the approval process and would confuse key issues, *misinterpret ratification precedents from previous arms control treaties*, and undermine future U.S. diplomacy based on flimsy evidence.” (emphasis added, CACNP (2010)) Though the administration courted Kyl, pledging in May to devote \$10 billion over 10 years to the nuclear weapons complex (and then an addition \$4.1 billion a few months later), he and other conservative Republicans remained stubbornly opposed to ratification. When Thune remarked that the money was not enough to modernize the nuclear forces, an exasperated Secretary of Defense Robert Gates chastised Republicans for playing politics with the treaty, “I've been up here for the last four springs trying to get money for this, and this is the first time, I think, I've got a fair shot of actually getting money for our nuclear arsenal” (Collina 2010b)

Convincing even the moderate Republicans to break ranks and support the treaty was not easy, either, and Gates describes in his memoirs the extensive “handholding” process that many Republican senators required when deciding to support the treaty (Gates 2015, 108). Bob Corker (R-TN) stated after the committee vote, “I will not vote for this treaty in the full Senate until I have seen the changes that the administration intends to submit as an amendment to the modernization plan from the nuclear weapons complex.’ Part of the modernization plan is the construction of a major new facility in Tennessee” (Collina 2010e). In the end, the Obama administration pledged over \$14 billion over ten years to modernize the U.S. nuclear forces, with key elements going to Republican senators’ states, including Corker’s and Lamar Alexander’s (R-TN) home state of Tennessee. In the end, nine Republicans—some of the most moderate in the Senate—voted in favor of the treaty. When asked about the close vote tally, John Kerry predicted that the increased partisanship in the Senate precluded a large margin of victory for New START, telling reporters on December 21 that, “70 votes is yesterday’s 95” (Collina 2011).

5 Alternative Explanations

Despite the evidence presented above, critics may argue that there are other reasons why the vote around New START was unique, and why the vote count only appeared to be highly partisan in nature. To evaluate these alternative explanations, I first expand upon the explanation and then provide some observable implications, should these explanations be true. I then use primary sources, news reporting, and memoirs written by those involved in the passage of the treaty to evaluate whether these alternative theories can adequately explain the New START vote.

5.1 Treaty Parity

The first and most intuitive alternative explanation that must be considered is that New START was simply a worse treaty than those that came before it, and therefore was more contentious. According to this theory, the ratification vote was close because the treaty did not reflect U.S. interests to a sufficient

degree and may have disadvantaged the United States in its security posture. If New START was indeed a less favorable treaty than previous arms control agreements, this should be observable in the record when its terms are evaluated side-by-side with other treaties. We would expect testimony on New START to reflect concern about the terms of the treaty, and that the treaty text itself would be more favorable toward Russia than other arms control agreements in the past. However, the evidence suggests that New START was not significantly different from previous arms control treaties, and was therefore not objectively worse than the treaties ratified over the previous forty years.

First, the treaty itself is fairly clear in its absence of meaningful regulation of missile defense development. Experts testified over a period of months – ranging from the Chairman of the Joint Chiefs of Staff to the Secretary of Defense to the National Laboratories – that despite the concerns voiced, the United States’ missile defense program would not be impacted in any significant way. Even L.G. O’Reilly, Director of the Missile Defense Agency, testified that the treaty would actually *reduce* the number of constraints on missile defense (United States Senate 2010, p. 63). Second, concern was also raised over the inspection protocol and the number of sites that inspections would cover, in addition to the lower standards for telemetry (missile-generated flight test data) in New START than in previous treaties. However, the development of the Type One inspection by negotiators resulted in more accurate, efficient, and cost-effective inspections; after a comparison of the inspection protocols, given the significantly reduced size of the Russian territory from the Soviet Union territory that was the basis of the START agreements, New START in fact doubles inspection levels.

Finally, critics were concerned that the treaty does not significantly reduce the number of nuclear weapons, leaving Russia with an numerical advantage, and does not address non-strategic (tactical) nuclear weapons at all, which are almost exclusively contained in Russian arsenals. However, the treaty does reduce number of launchers and allows for the counting of individual warheads. While the treaty does not address the issue of tactical nuclear weapons, this is not a unique problem to the New START treaty: no treaty negotiated between the United States and Russia has addressed tactical warheads. Overall, while New

START provoked confusion over the issue of missile defense, contained new provisions surrounding inspection protocols, and did not address some aspects of the countries' nuclear arsenals, every expert that testified before Congress over the New START treaty recommended its ratification to the Committee on Foreign Relations.

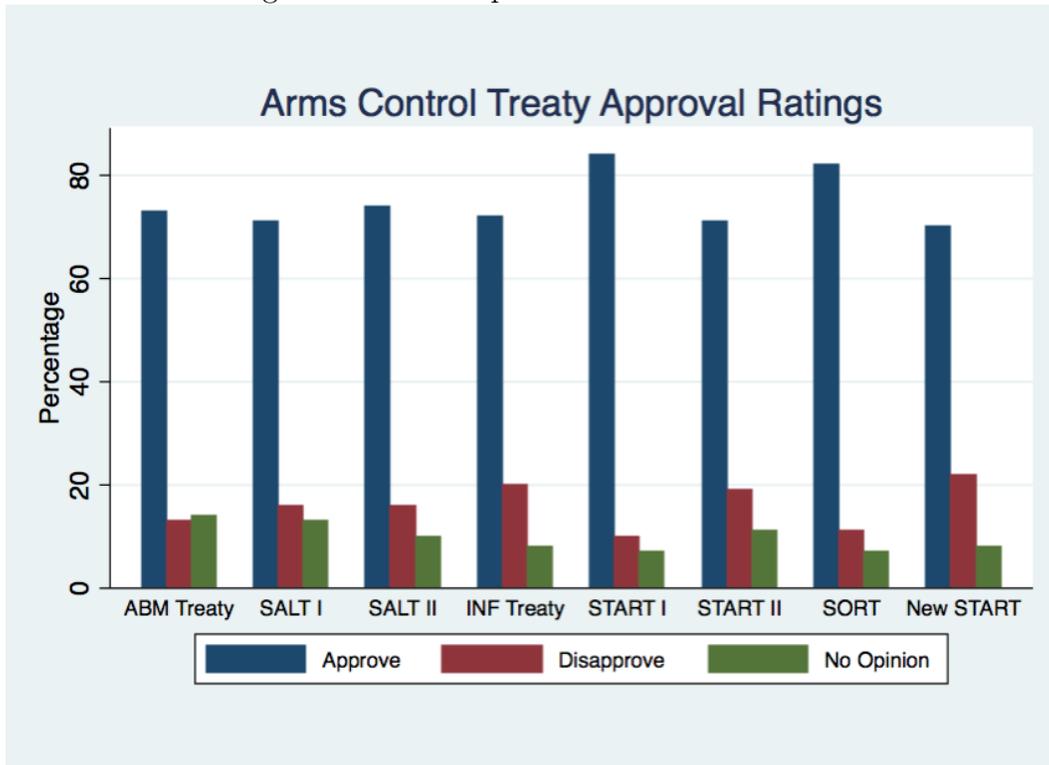
5.2 Public Opinion

Alternatively, because senators are representatives of the people, the vote on New START may simply reflect the opinion of a public considerably more skeptical of arms control agreements than in decades prior. Should the public be less enthusiastic about arms control agreements and reflect more hawkish views, the senators who represent those populations may then be more inclined to vote against the treaty in the interest of democratic representation.

Should this be the case, we should observe clear evidence that the public was indeed more hawkish in 2010 than it was during other arms control agreements. Public opinion polls over time should reflect an American public deeply skeptical of arms control agreements and more willing to engage in arms racing over setting arms limitations. In reality, however, public opinion on arms control agreements remains relatively stable over time, fluctuating between 70% and 85% approval from 1972 to 2014 (polls taken from a sample of Gallup and Harris questions). Trends in public opinion follow a relatively predictable pattern: general proposals of arms control are met with very high approval ratings while specific agreements are slightly less popular as peoples and parties disagree over specifics. However, as Figure 4 shows, the relative stability of public approval of arms control agreements cannot explain the remarkable dissatisfaction with New START. When asked in February of 2011 whether they supported Congress' decision to ratify the New START agreement, a full 59 percent of respondents strongly approved, with approval totaling 70 percent and disapproval totaling just 22 percent (Latino Decisions).

Further, the greater observation is that there is very little public polling on arms control to begin with, and polling only began for New START after several high-profile Senators publicly announced that they

Figure 4: Public Opinion and Arms Control



would not support the treaty. It does not appear from the polling data that the public formed its own opinion on the New START agreement, but rather reflected a top-down, elite-driven narrative about the relative merits of the treaty. Additionally, given that the public does not typically vote for a Senator based upon their foreign policy credentials and/or stances (with the exception of Sen Dick Lugar, described in more detail below), it is unlikely that public opinion would have had much if any influence on the positions of their state representatives.

5.3 Institutional Turnover

Additionally, the changing composition of the Senate and its members may be responsible for differences in voting patterns. In particular, the relative youth of many new members of the Senate and their relative inexperience with the perils of the Cold War and “mutually assured destruction” may influence voting patterns. Because historical memory of the dangers of nuclear war (as well as the dangers and expense of an arms race) informs much of the argument in favor of arms control agreements, younger senators

with fewer experiences living in the shadow of the Cold War may be less likely to vote for an agreement. Further, more junior senators, regardless of age, may be less informed about arms control agreements and less willing to vote in favor of a legally binding treaty; because the debate around the original START agreement was twenty years prior to New START, turnover in the Senate may have led to a less informed body that was less likely to have faith in arms control.

The observable implications of this explanation are fairly clear: younger, more junior senators should be more likely to vote against New START than older senators who were serving during the debates on previous arms control agreements. Because the end of the Cold War affected all Americans, rather than just those of a single party, differences in voting should not be heavily partisan, but rather principally separated by age and experience.

The available evidence, however, does not bear this theory out. In fact, information, age, or seniority seem to play very little role in determining a ‘yea’ or a ‘nay’ vote. Table 4 shows that the average age of a senator is the same regardless of whether s/he voted for or against the treaty. While Republicans who voted in favor of New START are slightly more senior than their co-partisans, the difference is neither statistically nor substantively significant: on average senators for each category were born in the immediate aftermath of World War II (1945 – 1947), and thus would have experienced the same culture and issues growing up. Further, time in the Senate appears to be insignificant as well, with those who voted against the treaty having an average of one year less in the Senate than their pro-treaty counterparts. This change is largely insignificant – both averages indicate that the average senator was elected in either 1996 or 1998, well after the end of the Cold War. Finally, information and knowledge appear to make little difference. The percent of Republicans who voted for the treaty who were on the Committee on Foreign Relations is 38%, only slightly over the average of 33% of total Republicans who broke ranks to vote in favor of New START. Therefore, additional information about the treaty appears to have had little if any effect on voting patterns.

Table 4: ‘Yeas’ and ‘Nays’ By Age and Seniority

	Avg Age	Time in Senate	% of FRC*
Yea	63	13 yrs	74%
Yea (R)	65	13 yrs	38%
Nay (R)	63	12 yrs	63%

*Foreign Relations Committee

5.4 Utility of Arms Control

Finally, it may be that the United States no longer has the need to sign arms control agreements, and that signing such agreements may in fact be harmful to U.S. interests.⁸ However, while the record shows that while some Senators were skeptical of the utility of arms control (insisting instead that missile defense is the only way to protect the United States), this by no means made up the majority of Senators who voted against the treaty. Jim DeMint (SC) was perhaps the most outspoken critic on the Foreign Relations Committee of arms control, stating during the hearings that New START, “does not defend the people of the United States... We are agreeing, with the START treaty, to continue the policy of mutually assured destruction, which doesn’t protect the American people... If we can shoot down their missiles, they won’t build nuclear weapons” (Collina 2010e). Assumptions about deterrence theory aside, DeMint’s skepticism about the idea that nuclear parity through arms control protects U.S. interests is the closest the record shows of an opposition to the idea of arms control generally, and this was not a generally popular position, even amongst his fellow conservative Republicans. The amendment that DeMint offered to the treaty in committee was significantly revised to simply express the hope of the committee to cooperatively move away from mutually assured destruction and invest in defensive capabilities (Collina 2010e).

Instead of a discussion of an ideological opposition to arms control, hearings mostly focused on specific aspects of the treaty (including missile defense) and the utility of signing a flawed agreement. Further, the specifics of the arms control agreement favor some status quo elements, but not others. For example, the overriding concern of skeptics was that the United States be able to continue developing missile defense systems, which the treaty not only permits but reduces barriers to the development of new technologies.

⁸For a thorough discussion of this debate during the Cold War, see Nye (1986)

Additionally, while the number of warheads remains the same, the treaty was accompanied by a large increase in funding for modernization technologies to silence critics. In general, the available evidence suggests that the large number of ‘nay’ votes against New START cannot be explained by questions and concerns about the utility of arms control agreements more generally, but instead were concerned about specific provisions.

6 Beyond New START

Additional evidence on arms control treaties suggest that polarization explains not just the departure of New START from other bilateral arms control agreements the U.S. signed with Russia, but is also indicative of most arms control agreements that the United States has signed. Data collected on fifteen arms control agreements signed by the United States and submitted for ratification by the Senate reveal a striking pattern: as polarization increases, the number of ‘nay’ votes also increases exponentially.

Using DW-Nominate ideal points and information collected from GovTrack on the sixteen arms control treaties identified by the Arms Control Association that were signed by the United States and put to a ratification vote during the post-war period, I developed a database that identifies how polarization is correlated with voting behavior in the U.S. Senate. This database includes treaties that were voted upon but not ratified, such as the Comprehensive Test Ban Treaty (CTBT) under Clinton. It does not include executive agreements that required Congress to vote on certain provisions (thus requiring less than the 2/3 majority vote a treaty requires), or treaties signed but where a ratification vote was never held (e.g. SALT II). The author contends that there are important differences between executive agreements and formal treaties, not the least of which is the implication for U.S. law, and this judgement forms the basis for excluding all executive international arms control agreements from the dataset.

After first finding the difference in the party ideal point means for each session of Congress that voted on an agreement, I used the model developed in Appendix A to evaluate how changes in polarization

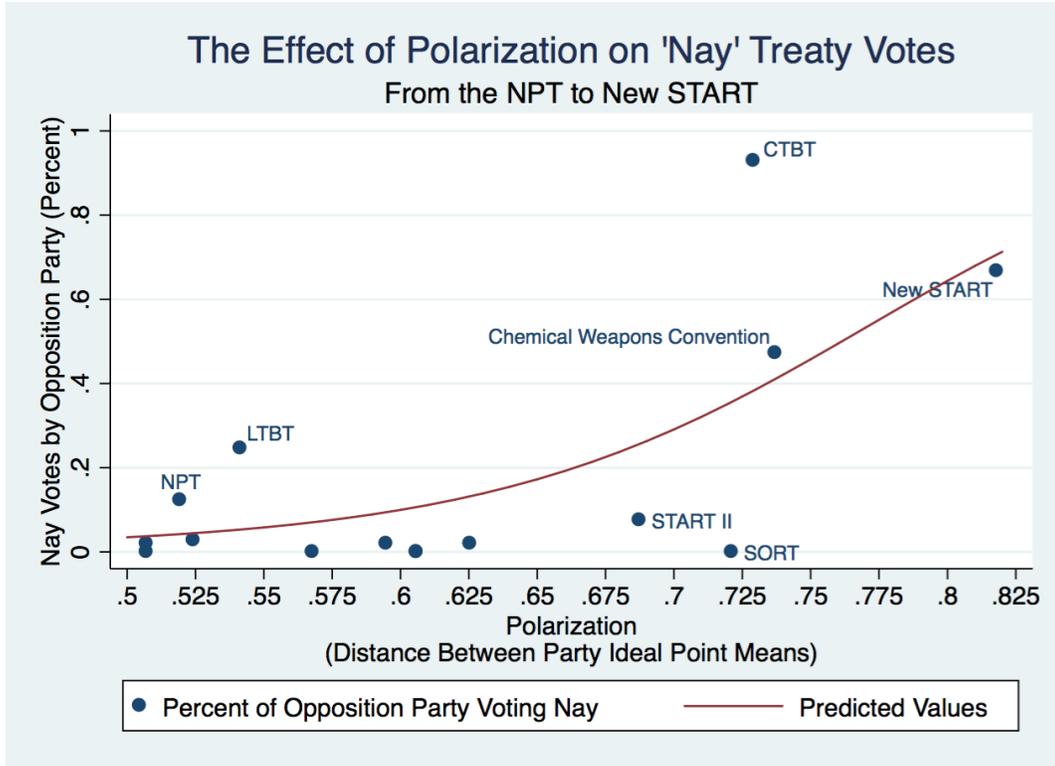


Figure 5: Polarization and Treaty Ratification Across Time

may exponentially affect the likelihood of treaty ratification.⁹ Figure 5 shows the distribution of voting records according to the difference in ideal point means between the two parties. We clearly see an exponential pattern to the data, and the predicted values from the regressions presented below fit the raw data well.

I then use these data to regress the percentage of opposition ‘nay’ votes on the polarization model developed above. Using a beta regression model to accommodate the fact that the percentage totals cannot exceed zero or one, this simple regression analysis confirms what the figure above clearly shows: polarization is substantively and significantly correlated with ‘nay’ votes by an opposition party in the Senate. Controlling for changes in the overall ideological composition of Congress and whether the treaty was multilateral or bilateral in nature, I find that the polarization of the Senate into increasingly homogenous and ideologically distant parties may have profound and adverse consequences for the ability of the Senate

⁹Because this is a study of partisan politics, I am principally interested in ‘nay’ votes that emerge from the party opposite of the president. As a result, the dependent variable in this analysis is the number of ‘nay’ votes from the opposition party (whether in the majority or the minority in Congress). However, all results still hold when all ‘nay’ votes are included in the analysis.

Table 5: The Effect of Polarization on Arms Control Votes, 1963 – 2010

	<i>Percent Opp Nay Votes</i>	
	(1)	(2)
Polarization (exp)	-63.75** (28.18)	-84.93** (38.1)
Ideal Point Mean		-7.624 (9.65)
Treaty Type		1.341* (0.737)
Constant	0.473 (0.49)	0.529 (0.496)
Observations	15	15

* p<0.1, ** p<0.05, *** p<0.01

to ratify arms control treaties.

Unsurprisingly, the type of treaty has a significant effect of the willingness of the Senate to ratify an arms control agreement. Multilateral treaties are greeted with far more skepticism than bilateral agreements, likely due to enduring skepticism by members on both sides of the aisle about protocols for verification, punishment of defectors, and the impact on U.S. sovereignty. Bilateral treaties, with the exception of New START, have been more likely to be ratified, and this is reflected in the regression results. Perhaps surprisingly, however, it appears that more conservative Congresses have something of a moderating effect on partisanship. As Congress becomes more conservative (and thus, positive on the ideal-point scale), we are slightly *less* likely to see nay votes against a treaty. Rather than being uniformly hawks against arms control treaties, it appears that a more conservative senate is, if anything, *more* likely to approve an arms control treaty. Further, it is not the case that this simply reflects unified government for Republicans – the coefficient remains negative even when the one instance of unified government for the Republicans (SORT in 2003) is dropped from the sample. It should be noted however this finding, while statistically significant, does not have much substantive effect: changes in ideal point means are so small that this effect is marginal at best.

Table 6: Arms Control Agreements Under Democratic Presidents

Treaty	Date	Rep Yeas	Rep Nays	President
Limited Test Ban Treaty	Sept 23, 1963	25	8	John F. Kennedy
Outer Space Treaty	Apr 25, 1967	30	1	Lyndon B. Johnson
Open Skies Treaty	Dec 3, 1993	voice vote		William J. Clinton
Strategic Arms Reduction Treaty II	Jan 26, 1996	42	4	William J. Clinton
Chemical Weapons Convention	Apr 24, 1997	29	26	William J. Clinton
Comprehensive Test Ban Treaty	Oct 13, 1999	4	51	William J. Clinton
New START	Dec 22, 2010	13	26	Barack Obama

There is naturally a small-n problem with the regression and the ability of 15 observations, even if they do comprise the universe of cases of post-war U.S. arms control treaties, to definitively determine the relationship between polarization and treaty voting behavior. However, the combination of historical evidence combined with the descriptive and regression statistics provide an overall compelling case that increases in Senate polarization increases opposition to arms control treaties.

7 An Escalating Spiral

Skeptics may look at the data and note that almost all of the recent examples of contested treaty votes occurred under Democratic presidents, and suggest that it is the party of the president, rather than the ideological make-up of Congress, that in fact determines close outcomes on arms control. However, this theory explains neither the changing votes of key individual members of Congress on bilateral arms control agreements nor the ability of past Democratic presidents to ratify arms control agreements with little to no opposition from the other party. When we look at ‘yea’ and ‘nay’ votes from Republican minorities, we clearly observe increasing opposition as Clinton’s term progresses (and the Senate becomes more polarized) as well as during Obama’s tenure, while opposition to previous presidents during less polarized Congresses is muted.

Further, looking at the six most senior Republican senators who voted against New START, it appears that every single one was previously in favor of bilateral arms control treaties (including START II under Clinton) until deciding against ratification of the 2010 treaty. Upon further investigation, it becomes clear

Table 7: Senior Republican Votes on Bilateral Arms Control, 1988-2010

Name	INF (Ideal Pt)	START 1 (Ideal Pt)	START 2 (Ideal Pt)	SORT (Ideal Pt)	New START (Ideal Pt)	<i>Percent Change</i>
M. McConnell (KY)	Yea (0.312)	Yea (0.352)	Yea (0.392)	Yea (0.472)	Nay (0.532)	+71%
J. McCain (AZ)		Yea (0.342)	Yea (0.352)	Yea (0.372)	Nay (0.387)	+13%
C. Grassley (IA)		Yea (0.341)	Yea (0.347)	Yea (0.421)	Nay (0.476)	+40%
O. Hatch (UT)		Yea (0.397)	Yea (0.395)	Yea (0.393)	Nay (0.391)	-2%
R. Shelby (AL)		Yea (0.435)	Yea (0.443)	Yea (0.557)	Nay (0.643)	+48%
K. Hutchison (TX)			Yea (0.359)	Yea (0.398)	Nay (0.428)	+19%

that their ideal points moved (in all but one case) substantially to the right over the course of their Senate careers, making them increasingly polarized and unwilling to support bipartisan legislation and activity. Therefore, in addition to the distinctly moderate characteristics of the Republican senators who voted in favor of New START, polarization appears to be at work not just through the replacement of moderates but through the evolution of moderate senators into more conservative voters. Table 7 shows the evolution in both support for arms control treaties as well as ideological voting patterns.

As we see from the individual trends in Table 7, the mechanisms of polarization continue to operate after the ratification vote, further removing incentives for moderate Republicans to vote for Democratic initiatives. Figures 6 and 7 show the dramatic differences between relative ideologies of the 111th and 113th Congresses. The mean of each caucus moves toward each extreme, but many of the moderate senators who voted in favor of New START are no longer serving in Congress. A look at the 114th Congress would reveal just six remaining senators. Of the five senators who were up for reelection in 2010, two suffered losses to hard right challengers in the primaries, while two others retired out of office and were replaced by more conservative Republicans. Of the ‘yea’ voters who were up for reelection in subsequent years, two retired due to what Olympia Snowe described as, “hyper-partisanship,” while three others, including six-term Senator Dick Lugar (R-IN), were challenged by Tea Party candidates.

The 2012 primary loss of Dick Lugar (R-IN) to a Tea-Party challenger is perhaps the clearest example of the spiraling effect of partisan politics and polarization on the foreign policy of the United States. While the public does not typically vote on foreign policy issues, and particularly not for domestic legislators, Lugar's support for New START and his willingness to work across party lines on foreign policy issues was a major campaign issue and one of the principle reasons why Lugar lost his seat during the primaries (Warren 2012). Under attack by his challenger Richard Mourdock for being 'Obama's favorite Republican' and for his 'yea' votes on "the bank bailout, President Obama's Supreme Court nominees, [and] the New Start nuclear arms control treaty" (Davey 2012. Lugar lost the primary election by over a twenty point margin.¹⁰

Overall, only six of the thirteen moderate senators who voted in favor of the New START treaty would continue in the Senate without either retiring before a primary challenger could be fielded or losing a primary outright. As a result, the mean ideal point of Senate Republicans shifted 17% to the right over just four years— one of the largest increases in modern history over the same time span.

Concerned about their ability to convince moderate Republicans to support the treaty immediately before an election, when bipartisan effort is punished rather than rewarded, the Obama administration and Senate Democrats decided to delay scheduling a floor vote on the Senate until after the election. However, with the loss of Robert Bennett (R-UT) to a primary challenge, the retirements of George Voinovich (R-OH) and Judd Gregg (R-NH), and six lost Democratic seats in the November midterms, Obama would have almost certainly been unable to ratify the treaty with the 112th Congress. As a result, he called a lame duck session, where the treaty was ratified 71-26 on December 22, 2010. Thirteen Republican senators broke ranks to vote in favor of the treaty; on average, those who voted 'nay' were more than twice as conservative as those who voted 'yea.'

Overall, polarization plays an important role in determining whether legislation can pass through Congress

¹⁰Mourdock would then go on to lose the general Senate election to Democratic candidate Joe Donnelly by 7 percentage points.

Figure 6: Ideal Points of Republican Senators who Voted 'Yea', 2010

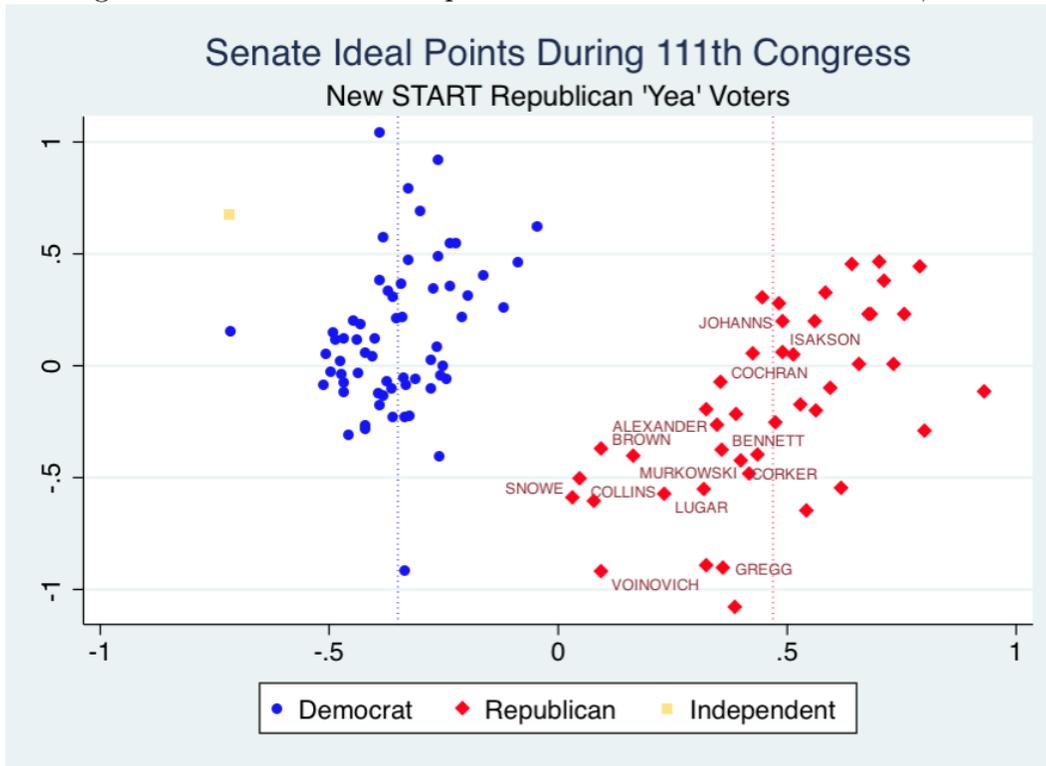


Figure 7: Ideal Points of Republican Senators who Voted 'Yea', 2014

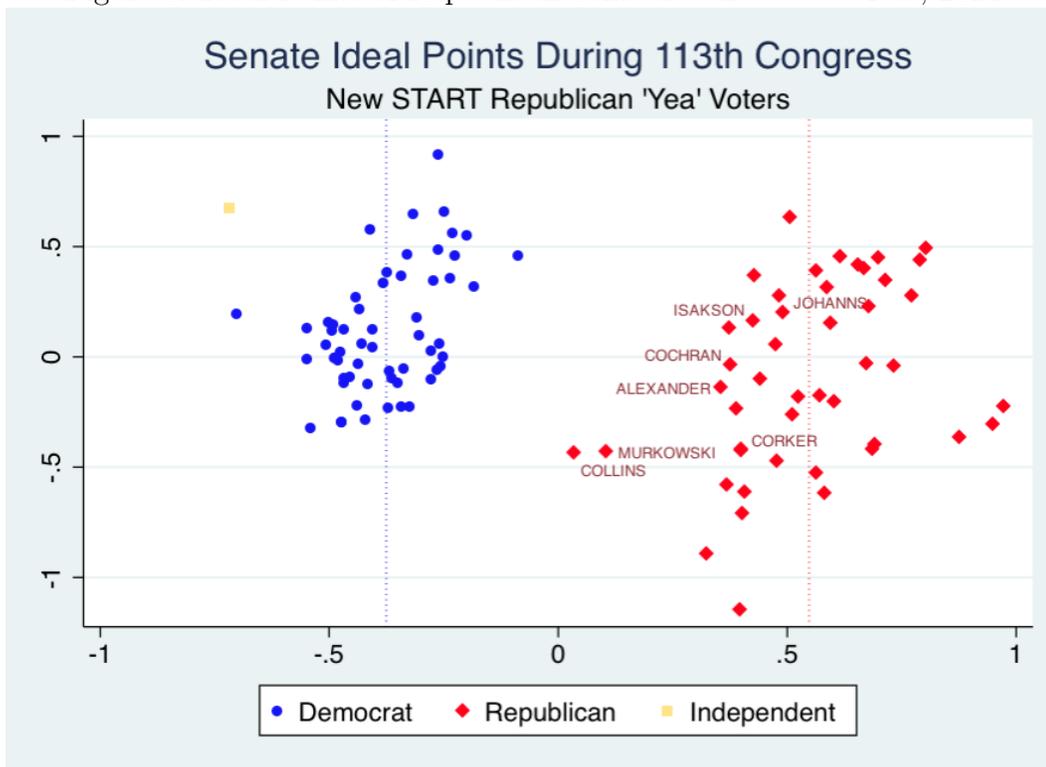


Table 8: Republican Senators Who Voted ‘Yea’ for New START

Name	State	Vote	Ideal Point	Terms
<i>Republican Avg</i>		<i>Yea</i>	<i>0.268</i>	<i>2.7</i>
<i>Republican Avg</i>		<i>Nay</i>	<i>0.553</i>	<i>2.2</i>
O. Snowe	ME	Yea	0.034	3
S. Collins	ME	Yea	0.05	3
G. Voinovich	OH	Yea	0.095	2
S. Brown	MA	Yea	0.097	1
L. Murkowski	AK	Yea	0.166	2
R. Lugar	IN	Yea	0.234	6
L. Alexander	TN	Yea	0.349	2
T. Cochran	MS	Yea	0.357	6
R. Bennett	UT	Yea	0.358	3
J. Gregg	NH	Yea	0.362	3
R. Corker	TN	Yea	0.401	1
J. Isakson	GA	Yea	0.493	2
M. Johanns	NE	Yea	0.493	1

with bipartisan support. This is particularly important when it comes to foreign policy agreements, where treaties often require two-thirds approval from the Senate in order to be ratified and become legally binding. Figure 5 shows that the number of nay votes is exponentially correlated with the amount of polarization present in the Senate, suggesting that as Congress and the American electorate continue to sort along an expanded line of issues, the next president’s foreign policy priorities may be dramatically affected.

8 Conclusions and Implications

This paper has explored the role that domestic politics and party polarization play in the ratification of arms control agreements. After almost four decades of near universal ratification of arms control treaties with Russia, the debate over New START was both acrimonious and devoid of substantive criticism over the text of the treaty itself. Why, then, was New START ratified by just a margin of four votes? This paper suggests that political polarization and party sorting are principally responsible for the high number of ‘nay’ votes recorded in opposition to New START. Using primary sources, memoirs, and data available on the ideological preferences of senators, I find that the most opposition to the treaty came from the most conservative wing of the Republican Party, and that the thirteen Republicans who broke ranks to

vote in favor of ratification were among the most moderate in the Senate. While these findings may seem unsurprising, they nevertheless reveal troubling trends in the American political arena— as polarization continues to increase amongst the electorate, the likelihood of passing even popular bipartisan legislation regarding foreign policy initiatives decreases exponentially.

Of course, no theory can perfectly predict every case, and this paper is no exception. Specifically, the vote around the Strategic Offensive Reduction Treaty (SORT) appears to be a problematic outlier to the argument presented here. However, the unanimous vote on SORT, despite high levels of polarization, is best explained by the context of the security environment in March of 2003. Less than 18 months after the attacks of September 11th, the Bush administration was given considerable leeway on almost every foreign policy initiative it undertook during that time frame, including the U.S. withdrawal from the Anti-Ballistic Missile Treaty in June of 2002. Finally, the Senate vote on SORT was held on March 6, 2003— just two weeks before the U.S.-led invasion of Iraq. At that particular moment in time, the costs of opposing the foreign policy goals of a war-time president on the eve of major international intervention would have been extreme for Democrats. As a result, the treaty passed unanimously.

The foreign policy implications of these changing trends in the American political environment are profound. The relationship between the executive and the legislature can determine international cooperation outcomes (Milner 1997; Martin 2000), and treaties are important signaling devices for countries, conveying durability and credibility on the international stage (Martin 2005). Executive agreements do not carry the full legal force of treaties, and leave room for future administrations or Congresses to renege on important international agreements that may provide significant security benefits to the United States (Hathaway 2008). The findings presented here, however, suggest that treaties will be much harder, if not impossible, to ratify should current rates of polarization continue. Should this occur, signed arms control agreements will no longer be legally binding, and the United States will be less credible in its commitments to the global security regime. This results in a United States that is less credible, and less capable of convincing allies (and adversaries) that it is capable of living up to durable commitments.

We already see this occurring to a surprising degree. Aware that he would be unable to pass the Joint Comprehensive Plan of Action with Iran (better known as the Iranian nuclear deal), Obama relied instead on a unique executive agreement that did not require even a majority of Senators to vote in favor. However, in an attempt to undermine negotiations, Republican members of the Senate sent a letter to Iranian leaders, warning of their intention to subvert any deal struck. They opined, “The next president could revoke such an executive agreement with the stroke of a pen and future Congresses could modify the terms of the agreement at any time” (Times Times). Such an unprecedented act nearly ended U.S. negotiations with Iran on their nuclear program, and presented the U.S. as a non-credible negotiating partner.

More immediately, as the ratification of future treaties becomes increasingly unlikely due to domestic political opposition, it becomes more probable that the verification regimes set in place by New START will be allowed to expire without replacement, leaving the United States essentially blind to Russian nuclear programs and strategic systems. Thus, continued political polarization may lead to an intelligence deficit on Russia’s nuclear regime not seen since the beginning of the cold war.

The Trump administration will almost certainly be forced to deal with these issues, as New START is set to expire in February 2021. They will need to engage in creative thinking about new forms of international agreements that do not require two-thirds approval from the domestic polity yet reassure partner nations of U.S. sincerity and commitment. Obama sought to do this on multiple occasions during his presidency, including holding key votes during lame duck sessions, and negotiating Congress’ role in approving the Iran non-proliferation agreement. Contrary to popular belief, however, the opposition and obstructionist tactics are not solely a feature of Republican ideology or backlash to Barack Obama, but rather a function of two parties growing increasingly polarized. As polarization and party sorting continue to increase, the likelihood of treaty ratification will only decline, forcing future administrations to think creatively about how to promote and enforce arms control treaties.

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