P.S. to the NEWS
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THE INTERNATIONAL HUMAN RIGHTS TREATIES

Four international human rights treaties have been signed and sent to the Senate for ratification by President Carter, and hearings have already been held. They could be reported to the Senate for action at any time.

The treaties masquerade in the name of "human rights," but they do not give any rights whatsoever to Americans or to any other peoples. They cannot add a minuscule of benefit to the marvelous human rights proclaimed by the Declaration of Independence, guaranteed by the U.S. Constitution, and extended by our federal and state laws.

The treaties imperil or restrict existing rights of Americans by using treaty-law (1) to restrict U.S. constitutional rights, (2) to change U.S. domestic federal or state laws, and (3) to upset the balance of power within our unique federal system.

Treaties pose far more of a hazard to Americans than to any other nation because of the preeminence of treaties in our system of government. As former Secretary of State John Foster Dulles said in 1952: "Treaty laws can override the Constitution. Treaties ... can cut across the rights given the people by the constitutional Bill of Rights."

The International Covenant on Economic, Social and Cultural Rights would bind us "to take steps" including "legislative measures," to the "maximum" of our resources, with "a view to achieving progressively the full realization" of economic "rights" by all other countries of the world. And what are these foreign economic "rights" we must provide? "Adequate food, clothing and housing," the "continuous improvement of living conditions," and "an equitable distribution of world food supplies in relation to need."

No generosity in all history can compare to the lavish foreign aid which Americans have supplied to more than a hundred foreign countries since 1945. Yet the additional taxes which could be levied on Americans to realize such wild foreign economic "rights" are incalculable.

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This Covenant refuses to recognize one of the most fundamental American rights, the right to own property. The property-rights section of the Declaration on Human Rights, Article 17, was deleted from the Covenant at the insistence of the Soviet Union, and that is why the Truman, Eisenhower, Kennedy, Johnson, Nixon and Ford Administrations consistently refused to approve the Covenant.

The International Covenant on Civil and Political Rights would impose upon the United States the obligation to register and conscript women for military service any time men were so registered and conscripted, and to assign women to all military jobs including combat duty. Both would, of course, be contrary to U.S. policy of two centuries, but Article 4 of the Covenant would prohibit any measures which "involve discrimination solely on the ground of sex."

The Covenant would change the marriage laws of most of the 50 states by imposing a rigid equality which would take away fundamental legal rights now possessed by American wives, and also take away the rights of the several states to enact their own marriage laws. Under Article 23, the Federal Government pledges itself to "take appropriate steps to ensure equality of rights and responsibilities of spouses during marriage."

Both of these Covenants constitute a tremendous interference with the distribution of power in the U.S. federal system because they bind our Federal Government "to take appropriate measures" to make sure that our "constituent units" (the 50 states) will "take appropriate measures" to fulfill the Covenants.

The Covenant on Civil and Political Rights and the Convention on Racial Discrimination each set up an international tribunal of 18 persons, on which the United States may have at most only one representative or may have none at all. These foreign tribunals would hear complaints against us, demand remedies from us, and provide endless opportunities for foreign mischief and harassment.

Recognizing that Americans are apt to be less than enthusiastic about such treaties, the State Department has proposed a network of reservations, statements of understanding, and declarations. They would do little or nothing to protect us from the treaties' legal traps and loopholes, but they prove that the treaties are simply incompatible with American constitutional rights and laws.

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