from Phyllis Schlafly

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Don’t Let the U.N. Prescribe the New World Order

President Bush's New World Order appears to include an expanded role for the United Nations to make our international policy decisions. This is unfortunate. ft would be better if the U.N. remained what it was during the 1970s and 1980s: just a side show in the heart of New York City, where overpaid representatives from a hundred foreign nations vied with one another to criticize America.

The vehicle for this new role is several United Nations treaties which are lurking in the U.S. Senate cloakroom awaiting ratification. Despite repeated invocation of the word “rights” (civil, political, economic, social, cultural, women's, child's), these U.N. treaties would not give Americans any rights whatsoever.

They would not add a minuscule of benefit to the marvelous human rights proclaimed by our Declaration of Independence, guaranteed by our Constitution, and extended by our federal and state laws. The treaties actually imperil existing American rights by using treaty-law to change U.S. domestic federal and state laws and to upset the balance of power within our unique system of federalism.

These U.N. treaties were signed years ago by President Jimmy Carter and lay dormant in a bottom drawer all during the Reagan Administration. They should stay there because they would override provisions of our Constitution, create a host of new litigation, subject us to supervision by busybody bureaucrats in the United Nations, and diminish our national sovereignty.

The centerpiece of this cluster of treaties is the United Nations Covenant on Civil and Political Rights. It would have all the above adverse effects.

Article 26 illustrates the dangers of writing treaty-law with terms which have no legislative or judicial definitions in international law, and which may be defined in the future by non-American bodies. Article 26 states: “All persons are equal before the law and are entitled without any discrimination to equal protection of the law.”

The phrase “equal protection of the law” is well defined in American law to mean not that every person must be treated equally, but that persons similarly situated must be treated equaI1y, and that the classification for different treatment must be

rationally prescribed by a legislature. In the U.N. treaty, the phrase is a blank check to an international tribunal which no one can assume will accept the U.S. definition.

Article 5(1) and Article 20 of the treaty conflict with our First Amendment by forbidding “propaganda for war” and “incitement to discrimination, hostility or violence.” Who is going to decide those terms? And who will enforce the U.N. prohibitions?

This treaty forbids “discrimination” on the ground of sex (as well as other factors) and would not permit any deviation from this strict requirement even “in time of public emergency which threatens the life of the nation.” The treaty would thus override U.S. laws that exempt women from registration and conscription.

This treaty would change the marriage laws of most our 50 states by imposing an equality that would take away fundamental legal rights now possessed by American wives. The treaty would also take away the rights of state legislatures to enact the marriage laws desired by the people of each state.

Article 6 requires that capital punishment “be imposed only for the most serious crimes.” Do we want the U.N. bureaucracy deciding what is “serious” rather than our own legislatures and juries?

Article 50 is a tremendous interference with the distribution of power in the American federal system because it would invest the Federal Government with power to enforce the treaty in “all parts” of our country “without any limitations or exceptions.” Under our federal system, the Federal Government has no jurisdiction over many areas of law, but the treaty would purport to change all this.

The treaty sets up a Human Rights Committee of eighteen members (on which the United States might not have even one member) to which other governments could complain that we are violating the treaty. This provides another route for anti-American propaganda and lega1 action to wind through the international bureaucracy.

Recognizing the treaty's many defects, the State Department has devised complex “reservations,” “statements of understanding,” and “declarations” to purport to safeguard American rights. The validity of such statements is questionable, and our experience with the SALT I Agreements of 1972 should teach us the futility of attaching unilateral statements to international agreements.

We should invite other nations to imitate the American system of individual freedom, private property, and economic prosperity, but trying to accommodate our successful system to failed systems in other lands means that everybody 1oses. If these U.N. treaties are the guidelines of the New World Order, then Big Brother is rising from the East River in New York City, and Americans are not going to like it at all.