

By JOSEPH & STEWART ALSOP

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SEN. BRICKER'S DANGEROUS PROPOSAL

JOHN BRICKER of Ohio and 63 other Senators, including North Carolina's Clyde R. Hoey and Willis Smith, have co-sponsored a resolution that seeks to amend the Constitution relative to the making of treaties and executive agreements.

Section 3 of the Bricker amendment reads as follows:

"A treaty shall become effective as internal law in the United States only through the consent, of appropriate legislation by the Congress."

The effect of this section would be simply to jam up the Congressional calendar. At present a treaty must be ratified by two-thirds of the Senate. Under this proposal the treaty would need enabling legislation, obtained by a majority vote in each house, after Senate ratification.

SECTION 4 of the Bricker amendment provides that:

"All executive or other agreements between the President and any international organization, foreign power, or official thereof shall be made only in the manner and to the extent to be prescribed by law. Such agreements shall be subject to the limitations imposed on treaties by the making of treaties, by this article."

As the Supreme Court once noted, in matters of foreign policy this nation speaks through its President. Under this section, however, the manner and extent of all agreements would be prescribed by law, i. e., by Congress. Congress would determine—if it ever found the time and agreement—what the President should agree regarding the limitation of vessels, navigation dues, the admission of civil aircraft, customs and all the other multitudinous matters the President has long handled by executive agreement.

In time of war, when long delay would be disastrous, the President would be powerless to make quick day-to-day decisions. As one example of the fetters this section proposes, the President could not, without Congressional blessing, make the simplest of preliminary arrangements to discuss the terms of a truce or an armistice.

Why, one may ask, if this proposed amendment would render the President ineffective and his assistants in red tape, and restrict their power to carry on the nation's foreign affairs, do 64 Senators co-sponsor it?

A partial answer, we believe, is this. Some of them simply have not studied the proposal seriously. One variation of logrolling on Capitol Hill goes something like this: "You co-sponsor my resolution, and I'll co-sponsor yours."

Too, there is a hard core of bitter little men in the U. S. Senate. They resent the actions taken by recent Presidents and Secretaries of State. They seek to express that resentment by taking action against the executive branch officials through they are now occupied by other men.

THE issue, however, far transcends the personal animosities involved. It can be stated something like this: If the United States is to lead the free world, it must work ever more closely with its allies. If the executive branch is burdened with restrictions in its international dealings, if Congress is bogged with details that previous Presidents have managed to iron out without Congressional help, then the whole process of international relations may bog down in a morass of indecision and delay that could mean the death of countless Americans.

For over 180 years the Constitution, the Presidents and the Congresses have effectively safeguarded American rights from foreign infringement.

We have faith in the Constitution and the officials who operate under it. The Senators who seek passage of the Bricker amendment are fighting in faith, embittered or simply misguided.

These passages could increase the likelihood that more local boys will be called into military service. The proposed amendment has four main sections. Section 1 reads:

"A provision of a treaty which denies or abridges any right enumerated in this Constitution shall not be in any force or effect."

Senator Bricker says that this section will close up what he calls a "menacing loophole" in the Constitution, the provision that the Constitution, and laws made in conformity with it, and "all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land."

It is far-fetched nonsense. In the first place, American Presidents are not inclined to negotiate away the Bill of Rights. No case has ever arisen calling for a decision that the treaty was contrary to the Bill of Rights.

Secondly, treaties require the concurrence of two-thirds of the Senate. Few, if any, and never two-thirds—of the Senators would approve a treaty that abridged Constitutional rights.

Thirdly, in so far as they constitute domestic law, treaties are subject to Congressional action at any time. Thus if the President and Senate approved a treaty that infringed upon the people's liberties, Congress could nullify it.

And finally, if the President and the Congress would become completely irresponsible their approval of an unconstitutional treaty would be wiped by the Supreme Court, which has repeatedly said that treaties cannot override the Constitution.

SECTION 5 of the Bricker amendment reads as follows:

"No treaty shall authorize or permit any foreign power or any international organization to supervise, control, or adjudicate rights of citizens of the United States within the United States or in any other matter essentially within the domestic jurisdiction of the United States."

How will the production of nuclear weapons ever be controlled if no international organization may supervise and control production of those weapons, in foreign countries and here in this nation, where atomic production falls within domestic jurisdiction?

How will disarmament ever be achieved if this section becomes part of our Constitution?

How will NATO operate as an effective bulwark against communism if its commanders' jurisdiction over U. S. troops is curtailed?

The U. S. has obtained permission from many foreign countries to try U. S. soldiers for criminal offenses in foreign countries. But Section 2 would forbid our voting in an international body, or foreign government, rights that we have found desirable.

\$1 MILLION WILL FINISH THE JOB

WERE there any satisfactory alternative, we would look with some distaste on the borrowing of an additional million dollars to complete the new Charlotte auditorium and coliseum and to complete the new Charlotte auditorium and coliseum and to complete the new Charlotte auditorium and coliseum.

Charlotte badly needs both facilities, not only for the profit and pleasure of its own residents, but also because the Queen City has a unique position in the area. As expected to be the center for educational, recreational, and commercial activities.

A large sum of money and much time have been invested in choosing the site, buying it, and preparing plans.

The plans are excellent. Both the auditorium and the coliseum have been designed for the future. Both will be equipped with all the facilities the community could desire.

To stop now would invite interminable delay and the coliseum would be a mere shell. To stop now would lose the momentum that brought about a 2-1 vote in favor of the \$3 million bond issue in 1950.

It is too bad that inflation sent the costs of the auditorium and coliseum beyond the \$3 million limit. But the hard truth is that the City can no longer delay this investment. The extra million dollars will make possible a finished job. The bond issue remains soundly supported by local civic groups and the approval of the people at the polls on June 8.

OUR LANGUAGE ENGLISH has its limitations and inadequacies. If, for example, you're writing a love woman, a comparative stranger, the salutation can be either Dear (Mrs.) or Dear Madam. But if you're writing two or three women all in one letter, Dear Madam sounds silly.

And if you're writing a girl's school about the admission of your daughter next year, heaven help you.

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People's Platform Secrecy In The General Assembly

CHARLOTTE. However, it seems like you can't beat them—because they're the ones that make the law. I think the press in a free country is one of the most powerful forces on the face of the earth, that means the reverence between freedom and a dictatorship, no matter how small the dictatorship may be.

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Even though it might take longer and make the job a little more difficult, we must get this law repealed. I trust the members of the Legislature will rise to the occasion and reverse the terrible infringement which has been made upon the rights of the people to know all aspects of the way in which their money is being spent.

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Newsmen, Too, Make Errors

ALBEMARLE. The people were not clamoring to sit in on committee deliberations. The people had not selected the newspapermen to sit in and inform them of everything taking place in the executive branch although they are now occupied by other men.

Editors Overestimate Readers

GREENSBORO. Your lead editorial Thursday, "If The People Don't Care, Then What?", rightly asks why the people don't care for the secrecy law enacted by the General Assembly.

Oppose Secrecy To The Finish

CHARLOTTE. In association—along with all the fine papers like The News—in their fight against the secret sessions of the Joint Appropriations subcommittee.

Keep Up The Fight

CHARLOTTE. I have followed with interest your news stories and editorial regarding the proposed use of Chiang Kai-shek's troops aren't paying off.

Drew Pearson's Merry-Go-Round

WASHINGTON. Here are some background facts which you might find in the difficult problem of peace in Korea.

OUR LANGUAGE

ENGLISH has its limitations and inadequacies. If, for example, you're writing a love woman, a comparative stranger, the salutation can be either Dear (Mrs.) or Dear Madam.

GOOD IN PATS OR DIPS

A CERTAIN sixth-grader is left cold by A runners that some of the Government's butter may show up in the form of pats on the head for school cafeteria.

RUSSIAN-WISE KENNAN EARNS STATE DEPT.

meanwhile are divided in their reaction. Most members of the Russian division think Malenkov genuinely wants a breathing space for the Communist East.

"MALENKOV KNOWS that the United States can't win a war with the Soviet Union. He could have done it long before we'd clobber him, and in the end we'd win, and that would be the end of it. He also knows that in a few years he'll have what he takes to knock us out. He wants to be sure that there's no big war in the meantime."

This is the simple explanation of the current Soviet switch in tactics which has been offered by one astute official. It may be right or it may be wrong. But it is at least a reasonable explanation of what badly needs emphasizing: A Korean truce, however desirable in itself, will not end the growing threat to the survival of the United States.

The nature of this threat was summed up in the final report of the experts recruited for Project Lincoln. These experts solemnly warned that the Soviet Union in years' time or a little more, will have atomic capabilities sufficient to cripple this country. This one reason why Andrei V. Vishinsky's surprise move last Wednesday, when he called for renewed discussions of disarmament and atomic energy control, has been referred to some quarters as a move as much of interest as the Korean truce move itself.

NEW LINE ON ATOM. Vishinsky failed to call for immediate "prohibition" of atomic weapons, and to institute continuing control in great power armaments. These two demands, repeated tirelessly by Vishinsky for years, amounted to a request to the Western powers to sign their own death warrants. Their sudden omission may have no significance at all, although Soviet spokesmen in the United Nations have at least suggested that this was a portentous new departure. At any rate, the Vishinsky move at least suggests that the new Soviet regime might just conceivably, for the first time, be in a position to talk seriously about atomic energy control.

For its part, the American government has been ordered to carefully re-thinking a U. S. atomic policy. The re-thinking has

Dangerous 'Economies' In Defense Outlay Considered

WASHINGTON. BEHIND the exchange of letters between President Eisenhower and Senator Joseph P. Ball of Massachusetts, chairman of the Senate Armed Services Committee, there is a long and serious correspondence that will cut into the rearmament program.

Two accounts for the concern expressed publicly by three Democratic Senators, all of whom have repeatedly argued that the United States' armed strength in a consistent and steady pattern. One is Sen. Stuart Symington of Missouri, who resigned as Secretary of the Air Force three years ago in protest against a slash in the rearmament program.

The other two are Minority Leader Lyndon B. Johnson, who headed an investigating committee pointing out deficiencies and blunders in the arms program, and Sen. Henry M. Jackson of Washington, who in 1949 introduced a leading part in pushing the development of atomic energy.

FEW IN THE KNOW. The Army's plans for economies would go on as now the view that the cut back for 1954, with a much larger cut back for 1955. In 1954, would necessitate such drastic revisions as to mean an ultimate cut in the number of aircraft in order to cut and complex weapons like jet airplanes, contracts must be made for many months in advance of the time when they are to be used with a program of progressive economies.

PLANNERS DISTURBED. The Army's estimates of what the contemplated cut would do are equally upsetting to military planners. Discussion has centered on the possibility that Army divisions kept in this country could be reduced in strength. The Army's estimates of what the contemplated cut would do are equally upsetting to military planners. Discussion has centered on the possibility that Army divisions kept in this country could be reduced in strength.