

# No Need for Amendment

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The fact is, and it has always been the fact, that there isn't any need to amend the Constitution's treaty-making clauses. Senator Kennedy of Massachusetts, who is rapidly making a name for himself as one of the courageous, intelligent and independent members of the Senate, spelled out the constitutional safeguards against unwise treaty-making the other day. He reminded the Senate that a vote of one-third plus one of its members can prevent ratification. Even if the Senate ratifies a treaty, it may do so with reservations. The Senate can stipulate that the treaty requires further legislation to give it effect as internal law. The President or the Senate can provide that the treaty is effective only in those states whose laws so permit. After ratification Congress can modify a treaty's effect as internal law by legislative act requiring only a simple majority, or it can refuse appropriations necessary to carry it out. If it violates constitutional rights the Supreme Court can nullify its internal effect in whole or in part. The President and members of the Senate can always be impeached if they violate their oath to uphold the Constitution.

It is true that not every Executive agreement is subject to every one of these safeguards; but nobody has yet discovered a satisfactory way to protect the country in every possible circumstance from the ill effects of unwise Executive agreements without impairing the essential Presidential power to make them. The Constitution has done right well for us in the field of foreign policy for 165 years. Let's leave the Constitution alone.

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