Calling for the Bricker Amendment
Halt Usurpation of Constitution by Treaty and Executive Order

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I am forwarding the message below to every patriotic person I know. I urge all of you to read this extremely important message and then distribute it as widely as possible. I hope that we will be able to get as many national organizations involved in this CRUSADE as possible.

One of the truisms of human experience over some 6000 years of recorded history is that in ANY conflict a force which fights a purely defensive war WILL ultimately be defeated! Since 1945, patriotic Americans have been waging a defensive holding action against the internationalist who would destroy the U.S. Constitution and the United States as a sovereign nation. I believe that it is IMPERATIVE that we take offensive action against those internationalists.

The Bricker Amendment, proposed in 1953, was designed to protect our Constitution against the danger of being amended or even abrogated via the "treaty" route. At the time, the very real danger represented by the United Nations was not as obvious as it is today. I believe that the time is ripe, during this election campaign, to resurrect the Bricker Amendment and force every candidate to take a stand for or against it.

Albert Burns

JUST A MATTER OF TIME! By Albert Burns

Let us examine a very clear and present danger which we, as Americans, face. For more than 200 years, Americans have viewed the U.S. Constitution as being fixed and unchanging, except as it has been modified by properly ratified amendments. Some people are vaguely aware that the Constitution has been changed in varying degrees by numerous Supreme Court decisions. What extremely few realize is that the Constitution has been (and is being) changed continuously by treaties into which this country has entered. These treaties are now a clear and present danger to the continued freedom of us all.

Article VI, paragraph 2 of the Constitution states: "This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding." (Emphasis added.)

The phrase: "...shall be the supreme Law of the Land", has been interpreted by the Supreme Court to mean that treaties supersede the Constitution itself - that our rights of freedom of speech, religion, assembly, press, right to keep and bear arms, etc. can be changed or even abolished by a treaty.

The first such Supreme Court "interpretation" took place in 1796! In that case, (Ware vs. Hylton), the Court upheld the taking of private property without "due process" because of a treaty with Great Britain.

In 1920, (Missouri vs. Holland), the Supreme Court decided that powers, reserved by Amendment 10 to the States or the people, could be transferred to the federal government by a treaty, in other words, a direct REVERSAL of the intent of the Tenth Amendment.

The Constitution expressly provides that the President can make treaties, only with the advice and consent of two thirds of the Senators present at the time a vote on a treaty is taken. Theoretically, this provides some protection against the rights of the American people being bargained away. At least when the debate came before the Senate, the people would have an opportunity to make their wishes known to their Senators. Binding secret agreements would not be possible.

Unfortunately, in 1942, (United States vs. Pink), the Supreme Court EXTENDED the concept that treaties over-ride the Constitution to include "executive agreements" made unilaterally by the President, or even agreements made in
the NAME of the President by someone else in the executive branch of the federal government. The Court held that an "agreement" between President Roosevelt and the Russian Foreign Minister over- rode the provisions of New York State law and of the U.S. Constitution itself. The dire consequences of that decision cannot be over-exaggerated!

The inspired men who wrote the Constitution planned that the Constitution could be amended solely with the by vote of two thirds of each house of the Congress and then with the consent of THREE FOURTHS of the States. Effectively, the earlier decision of the Court meant that the necessary approval of changes to the Constitution has been changed from 3/4 of the STATES to only two thirds of the Senators present when a treaty ratification vote was to be made.

Under the 1942 decision, the requirement for oversight or approval of changes to the Constitution was REMOVED ENTIRELY! Now, one man, the President, or even someone representing him, can make an agreement with a foreign power or international body. According to the Supreme Court, such an agreement could modify or possibly even nullify our Constitution! This can be done without the approval or even the knowledge of the Senate or of the American people as a whole.

In 1954, the U.S. Senate held hearings on the "Bricker Amendment", a proposed amendment to the Constitution to close this "backdoor" method of changing the Constitution. During those hearings, it was disclosed that up until that time, 46 YEARS AGO, over 10,000 executive agreements had been negotiated with regard to the North Atlantic Treaty Organization (NATO) alone! A large number of those agreement were, AND STILL ARE, secret from the American people, yet they all, potentially, have the power to negate the U.S. Constitution.

How many other secret executive agreements have been made, with other international bodies, is information not available to American citizens. Obviously, the foreign powers and/or international bodies know about such agreements since they are party to them. They are only kept from the knowledge of the American people! Every rational and reasonable American should ask: "WHY are they afraid to tell US?"

Our Founding Fathers did everything in their power to guarantee that those rights would never be infringed upon by government. Unfortunately, they could not have foreseen how venal politicians and Supreme Court judges (to put the most charitable interpretation upon their actions) would twist the clear meaning of the Constitution to suit their own evil purposes.

It is not that there is no historical record to establish exactly what the intent of the writers and signers of the Constitution intended. The Federalist Papers and other documents written by the Founding Fathers clearly indicate their intent and the meaning of provisions of the Constitution. Those indications of "original intent" are simply ignored by those in power in Washington today.

I mentioned the "Bricker Amendment" which had been proposed in 1954 by Senator John Bricker as a means to positively stop the "backdoor" methods which were being used to corrupt and negate the U.S. Constitution. This amendment would have protected the Constitution and the rights of American citizens from assault by treaties or executive agreements.

The FULL text of the Bricker Amendment reads:

"Section 1. A provision of a treaty or other international agreement which conflicts with this Constitution, or which is not made in pursuance thereof, shall not be the supreme law of the land nor be of any force or effect."

"Section 2. A provision of a treaty or other international agreement shall become effective as internal law in the United States only through legislation valid in the absence of international agreement.

"Section 3. On the question of advising and consenting to the ratification of a treaty, the vote shall be determined by yeas and nays, and the names of the persons voting for and against shall be entered on the Journal of the Senate."

This would have been an eminently sensible and simple approach to solving the problem. Yet President Eisenhower and Secretary of State John Foster Dulles opposed the Bricker Amendment with the full power of their offices. They twisted arms, called in favors owed to them, and generally moved Heaven and earth to oppose this amendment. The amendment failed to pass the Senate by ONE vote!
Eisenhower and Dulles claimed that such an amendment would interfere with the President in conducting American foreign policy. One can reasonably ask how the Bricker Amendment could interfere with the conduct of legitimate U.S. foreign policy. Were those who opposed the amendment planning treaties and agreements which would conflict with the U.S. Constitution or were they protecting such agreements already in existence but unknown to the American people?

A case in point: On May 25, 1962, the United States and the Soviet Union "agreed" on a "Joint Declaration Against War Propaganda." Under its terms: "...an American who suggests blockade or invasion of Cuba, or engages in other 'war propaganda' activities may be risking 'condemnations' or 'punishments by appropriate practical measures' including measures in legislative form."

Decoded, that legal double-talk means that offenders may be jailed or have other punitive actions taken against them. (What happened to First Amendment free speech?) In fact, the communists withdrew THEIR approval of the joint declaration only four days later so whether it is still binding on the U.S. is not clear. But with our present government currently enforcing international agreements which have never been debated or ratified by the Senate, I sure wouldn't want to bet upon THEIR interpretation of that question. It could be a "ticking time bomb" just waiting for some nation to ask the International Court of Justice (World Court) to order the U.S. to "gag" its citizens.

If that ever happens, American citizens have only one protection IF the State Department saw fit to invoke it. Before ratifying the United Nations Charter in 1945, the Senate was wise enough to amend the section dealing with the World Court by barring the Court from jurisdiction over matters which were essentially domestic "AS DETERMINED BY THE UNITED STATES." Those six words, authored by Senator Tom Connally (D-Tex), are known as the "Connally Reservation" and are the only thing which COULD prevent the World Court from interfering in American internal affairs on the pretext that our tariffs, immigration laws, school curriculums, etc. affect American relations with other countries and are therefore "foreign" and not "domestic." Very powerful interests in Washington have been trying to get that "Connally Reservation" repealed ever since.

Advocates of internationalism claim that the Reservation is a "roadblock" to "world peace through world law." What they fail to tell the American people is that there is NO SUCH THING as a body of "world law" except in the field of maritime regulation. IN FACT, because of Article 59 of the Statute Of The International Court Of Justice, there WILL BE NO such body of international law! The Statute specifically prohibits the Court from building such a body of international law by FORBIDDING the use of prior decisions as precedents in future cases. Article 59 provides that:

"The decision of the Court has no binding force except between the parties and in respect of that particular case."

Therefore, the "Judges" of the International Court Of Justice could make a decision favoring an enemy of the United States using one set of standards and then decide that same set of standards did not apply when it might favor the U.S. although the circumstances might be exactly the same. These "judges" are in the unique legal position of deciding what the "law" is to be for each individual case they hear. (Imagine a baseball game where the umpires can change the rules, as they see fit, to favor one team over the other, whenever and however they please!)

Further, there is NO appeal from the decision of these "Judges" no matter how unjust or unreasonable a decision might be. Those decisions could, ultimately, be enforced by the rapidly expanding power of the U.N. "Peace" forces.

It should be clear that the United States cannot endure, as a free and independent nation, unless this "loophole" in the Constitution can be closed. The American people must demand that Congress resuscitate and PASS the Bricker Amendment so that it may be ratified by the States. I urge all patriotic Americans to "get involved" immediately in a massive movement to achieve that end. Failure to protect the Constitution from this insidious hidden attack will mean that ALL the sacrifices of America's fighting men and women will have been in vain.