

pretation of the equal protection clause of the federal Constitution as we would also embody it in our state Constitution.

THE CHAIRMAN: Delegate Hanson, may I interrupt you a moment? There is left in this period remaining only two minutes. At least one other delegate has been trying to get the floor.

Will you please confine yourself to one minute?

DELEGATE HANSON: I shall try my best, sir.

Due process and equal protection are flexible concepts. We need a concept in the constitution which is a guarantee of a right already won. We need to insure that right.

Due process and equal protection are themselves two of the most indeterminate concepts in the constitution. It has taken a hundred years to define them this far. Let us have a concept which people know the meaning of.

Finally, in reply to Delegate Weidemeyer, I would merely point out that because of the indefiniteness of the equal protection clause, the Federal Civil Rights Act is based upon the Interstate Commerce Clause, and not on the 14th Amendment.

THE CHAIRMAN: Does any other delegate desire to speak in opposition?

Delegate Willoner, do you desire to speak in opposition to the amendment?

DELEGATE WILLONER: No, Mr. Chairman.

THE CHAIRMAN: The Chair recognizes Delegate Gill and she will use up the remaining time.

There is only one minute left.

Delegate Gill.

DELEGATE GILL: Mr. Chairman and fellow delegates, I first rose because I was very confused by Delegate Hardwicke.

I could not understand how his name could be on the minority report and then he lead the opposition to that report, especially when I considered him a fair-minded man, who either stood for something or did not stand for it.

After that time passed, a lot of delegates expressed the opinion that they could not understand why this should be put in the constitution. There is one reason why you cannot understand. You have never been a Negro. Perhaps you will never understand

for that basic reason, but if we had nine white people down here and the rest of them colored instead of the reverse, nine colored and the rest of you white, all of the rest of those delegates would understand that this would be a vital inclusion in the constitution, not because we want anything more than you have, not because we want anything more than any other American citizen has, but we just think that this would be an added assurance that each day of our life would not be filled with so much discrimination because of our race and color.

THE CHAIRMAN: Delegate Mitchell.

DELEGATE MITCHELL: A point of explanation. I think Delegate Gill missed Delegate Hardwicke's statement, that he signed the minority report, and he was simply acting as a lawyer for his client when he presented the majority report of the Committee.

I would like to clear that up, and Mr. President, will you please instruct the delegates that the vote now is on whether we shall add sex?

THE CHAIRMAN: No, that is not the vote.

DELEGATE MITCHELL: Isn't it?

THE CHAIRMAN: No. The Chair will state the question. The time for debate has expired. Delegate Gill.

DELEGATE GILL: Mr. Chairman, in answer to Delegate Mitchell, I would like to say that I did not misunderstand Delegate Hardwicke. I understood what he said, but with 18 people on the Committee, I could not see where they could not find a leader for the other 11.

THE CHAIRMAN: The Clerk will ring the quorum bell.

Delegate Willoner.

DELEGATE WILLONER: Mr. Chairman, I would like, since some delegates have some questions about this to try to clear up the history of this particular proposal, and not make a speech for it.

THE CHAIRMAN: Delegate Willoner, the time for debate has completely expired and gone beyond. Do you feel there is any misunderstanding at the present time?

DELEGATE WILLONER: Apparently there is, Mr. Chairman.

THE CHAIRMAN: Are you speaking on behalf of the Committee?