

1 any particular economic theory, whether it be the
2 economic theory of free enterprise or the economic
3 theory of the welfare state or the partial welfare
4 state should be frozen into the Constitution.

5 THE CHAIRMAN: You have one-quarter minute,
6 Delegate Scanlan.

7 DELEGATE SCANLAN: A long time ago, I need not
8 say what Supreme Justice said that he didn't think the
9 Fourteenth Amendment froze Herbert Spencer's social
10 statistics into the Fourteenth Amendment and I think
11 the same point could be made here. This is a national
12 problem. It can only be solved by national effort. To
13 write something in the Constitution which is unenforceable,
14 I hope it is unenforceable, to write this into the
15 Constitution, is a snare and delusion.

16 Unlike some of the other things you have done
17 in the last few days like permitting the right to
18 organize collectively and making clear equal protection
19 of the laws clause prohibits segregation or discrimination
20 on the basis of race, creed, or color, there we granted
21 substantive rights. Here we have a platitude that no