

1 principles rather than restraints?

2 PROFESSOR ROSEN: Well, as I have suggested,
3 the ACLU's position is that it wants a statement of
4 rights that are restraints, but in the statement, as the
5 Federal Constitution, the statements would be in broad
6 terms, such as, Congress shall make no law respecting
7 the establishment of religion, et cetera, et cetera.
8 These, of course, would carry with them broad principles
9 or, as in the Fourteenth Amendment, the statement that
10 no state shall deny to any citizen the equal protection
11 of the laws.

12 These, of course, encompass broad principles
13 of every ideal and purpose, but they are also enforceable
14 principles. Now, it may be that sometimes the broad
15 philosophy of the idea outruns the enforceability of the
16 core, but that, I think, is in the nature of a broadly
17 drafted Bill of Rights and I think what we are requesting
18 or what we would support is a Bill of Rights that is
19 drafted in terms of broad principles, subject to further
20 judicial interpretation and application in concrete cases,
21 responsive to those needs that the citizens now have of