

1 by Mr. Scanlan is certainly valid, that the phrase, Nor
2 shall any person be denied the equal protection of the
3 laws, is certainly broader than the phrase, Nor shall
4 any person be denied the equal protection of the laws
5 because of religion, color, race, ancestry or national
6 origin, and suggest to you that if you want those words
7 so that they are highlighted in the Declaration, then
8 you ought to add to them some phrase such as, Or for
9 any other reason, so that you would not narrow the broad
10 sweep of the equal protection clause as written.

11 MR. MINDEL: Mr. Chairman, couldn't this be
12 covered in the Preamble? Wouldn't that satisfy you,
13 Dr. Jenkins, if an appropriate statement were made in
14 the Preamble, rather than this Section, which is so broad?

15 DR. JENKINS: I think not. I feel very
16 strongly that this is a changing concept in this democracy
17 of ours. It is not one that characterizes our society.
18 We had, prior to 1867, a statement, where people on
19 account of race were thought of as chattels. The last
20 hundred years we have given grudging consideration to the
21 rights of people on the basis of race and now, and because