Louisiana Constitutional Convention Committee Approves Tentative Preamble

By JAMES H. GILLIS

By CIVIL LIBERTIES UNION STAFF

BATON ROUGE, La., March 18 - A tentative preamble, subject to revision, to a proposed new Louisiana constitution was adopted Saturday at the State Capitol by a committee of the 1973 constitutional convention.

The language of the proposed preamble is: "We the people of the state of Louisiana, grateful to Almighty God, for the civil, political and religious liberties we enjoy, and desirous of securing the continuance of these blessings in order to provide for the health, safety and welfare of the people; maintain a representative and orderly government; eliminate poverty and inequality; assure legal, social and economic justice; provide opportunity for the full development of the individual; assure domestic tranquility; provide for the common defense; and secure the blessings of freedom, liberty and justice to ourselves and our posterity, do ordain and establish this constitution.

The action was taken by the committee on Bill of Rights and Elections at an afternoon meeting which followed a morning session during which advocates of equal rights for women urged inclusion in a new constitution of a provision guaranteeing such rights.

ROY PROPOSAL

The preamble, which was adopted as an amendment by state Rep. Woody Jenkins of Baton Rouge to a proposed amendment based on the Illinois constitution offered by Chris Roy of Alexandria, who withdrew his amendment in favor of Jenkins' proposal, stated as follows:

"We the people of the state of Louisiana, grateful to Almighty God, for the civil, political and religious liberties we enjoy, and desirous of securing the continuance of these blessings in order to provide for the health, safety and welfare of the people; maintain a representative and orderly government; eliminate poverty and inequality; assure legal, social and economic justice; provide opportunity for the full development of the individual; assure domestic tranquility; provide for the common defense; and secure the blessings of freedom, liberty and justice to ourselves and our posterity; do ordain and establish this constitution.

The committee set the next meeting at the Capitol for March 30 at which time it will consider and hold hearings on civil and political rights.

Right of the committee's members were present during Saturday's meeting. They were: Mrs. Jason Dunlap, Baton Rouge, first vice-chairman; Dr. Roy and Mrs. Mary Dunlap, Baton Rouge, second vice-chairman; Jenkins; Roy; Dr. Weisz, Ford E. Sisson, Baton Rouge; Mrs. B. Noxom, Sental, New Orleans; and Kendall Vick, New Orleans. Those absent were state Reps. Alphonse Jackson, Jr., Shreveport; chairman, and Shaddy H. Wall, West Monroe.

The women's equal rights proposal was presented before the committee by Mrs. Kerline Tierney of Baton Rouge, president of Women in Politics.

The provision as presented by Mrs. Tierney stipulated that: "Equality of rights under the law shall not be denied or abridged because of race, color, creed, sex or national origin."

ROY PROPOSAL

However, before voting on the tentative preamble which was adopted as an amendment by state Rep. Woody Jenkins of Baton Rouge to a proposed amendment based on the Illinois constitution offered by Chris Roy of Alexandria, who withdrew his amendment in favor of Jenkins' proposal, the committee rejected a proposed preamble offered by Dr. Gerald N. Weiss of Lake Charles, which simply stated: "We, the people of the state of Louisiana, grateful to Almighty God for this great land, do ordain and establish this constitution as a form of government for the people and for the people of this state.

Dr. Weiss was the only committee member who voted for this version and he said that he did not have an agreement with the committee to take it in the form of a minority report to the floor of the convention. He subsequently abstained from voting on the preamble which was approved.

Mr. Rice declared that "if you delete every controversial proposal you are going to have a weak constitution" and that this would require frequent future amendment of the constitution.

In response to questions, Ms. Millisenson said that community property laws affecting women would be altered by the equal rights amendment and that passage of the amendment was required in order to give the women’s equal rights provision the same effect on the moral of the state population. She added that passage of the amendment was required in order to give the women's equal rights provision the same effect on the moral of the state population.

"It's not just a question of practicality," retorted Jackson. "It is a question of ideals also.

Many Conceded

Conceding that many women are not for the proposed equal rights amendment, Miss Millisenson asserted that this was so because the state's constitution had "not happened to a majority of women that they knew what they were talking about.

Whatever does or does not happen, we cannot change human nature by legislative fiat," observed Guarisco.

Miss Millisenson told Jenkins that if such a provision became a part of the constitution, "it might permit persons of the same sex to marry each other."

However, she conceded that perhaps this might become mandatory under the provision, "but I think it's more likely to be a refusal to deal with a particular issue, that is another matter."

"Whatever is done, I think it will be taken care of by legislation," she said.

"I am not in favor of abolishing the institution of marriage as a heterosexual relationship in our society," Miss Millisenson told Jenkins.

In response to a question by Jenkins on whether the equal rights provision would abolish separate men's and women's restrooms, Miss Millisenson said that to oppose it "because it might permit women to use men's restrooms is just being absurd."

However, she conceded that perhaps this might become mandatory under the provision, but added that in some places in Europe men and women use the same restrooms without any effect on the morality of the people.