

1 MR. BURGESS: Of course, I'm looking at this
2 as a sort of a self-styled historian, I guess. I question
3 a little bit about taking out of the Bill of Rights, as
4 such, some of these provisions, if you want to call them
5 that, or statements or affirmations; some of them are
6 not. Maybe they are not subject to judicial decision,
7 but they certainly have in the past influenced judicial
8 decision and certain of them have been included in
9 judicial decisions; but, so far as -- no, I'd rather
10 fight, that I would hold that some of these things be
11 in the Bill of Rights, the connotation of this being
12 included in the Bill of Rights, which is something that
13 does not carry the same kind of weight if you embody it
14 as a part of the constitutional provisions.

15 They are specific things. These are beliefs
16 and affirmations that are deep-seated in our American
17 heritage and I suspect we want to keep them there.

18 THE CHAIRMAN: Thank you very much. Professor
19 Asper, who is a professor of law at the University of
20 Maryland and the Reporter for our Committee, has a
21 question.