

1 merely is conformative, if nothing else, and seems advisable.

2 MR. SCANLAN: I couldn't figure out whether
3 Mrs. Bothe was arguing against the Case amendment or
4 against the Committee version.

5 THE CHAIRMAN: Against both.

6 MR. SCANLAN: As far as the Case amendment is
7 concerned, I share her opposition, but Professor Asper
8 is right, basically the first two clauses, the first
9 sentence and the first clause of the second sentence are
10 basically what is in the First Amendment of the Constitution,
11 No law shall be enacted establishing religion -- well,
12 they don't change it much, shall be restricted in the
13 free exercise of religious profession and worship. If you
14 just have an establishment clause, you still have the
15 problem of interference with free exercise. Suppose
16 Maryland like West Virginia, passed a law requiring all
17 students to salute the flag and Joe Hoffa's witnesses
18 don't like to salute the flag and went to the Supreme
19 Court of the United States twice and suppose it came up
20 under the State Constitution, and that would be a restric-
21 tion in my view on the free exercise of their religion.