

1 think this is a concession to 1966. I am sure by 1980  
2 it is not going to be at all necessary to think in terms  
3 of jurors being disqualified because they refuse to  
4 declare their belief in God. I am impressed with the  
5 second Section as being something that arose at the moment  
6 rather than a statement for the ages.

7 PROFESSOR ASPER: I feel this, I am a little  
8 conscious about it, but I am not sure the entire second  
9 sentence falls in there. One is establishment, the other  
10 is restriction on free exercise.

11 MRS. BOTHE: Couldn't we just add, exercise?

12 THE CHAIRMAN: We have a motion. Let's stick  
13 to that first.

14 MR. CLAGETT: It may not be until 1986 that  
15 we get around to interpreting what the word, witnesses, in  
16 this phrase means. We haven't actually decided that ques-  
17 tion yet, what kind of oath shall be administered. It  
18 says, juror or witnesses, but we haven't decided what we  
19 mean, what witnesses means yet.

20 THE CHAIRMAN: Mr. Case?

21 MR. CASE: Let me again reemphasize that that