

1 me it is not the kind of thing we ought to have in the
2 Constitution, and I move to strike it all out.

3 THE CHAIRMAN: Any further discussion?
4 Professor Michener?

5 DR. MICHENER: This can still be handled by
6 statute under the canon of judicial ethics.

7 MR. MARTINEAU: I don't know that it could be.

8 MR. CASE: Why not?

9 MR. MARTINEAU: I don't know that the Legis-
10 lature could restrict the activities of a judge outside
11 of his judicial service.

12 THE CHAIRMAN: Any further comment?

13 Mr. Sayre?

14 MR. SAYRE: If I were a judge, I would want to
15 be able to say it is unconstitutional for me to participate
16 as much as I personally might want to, or contribute, and
17 I would rather have my Constitution to back up my No,
18 rather than to just say a plain No. Maybe this is some-
19 thing for a weak person to hang his hat on, but I think it
20 actually strengthens the position of a judge to do his
21 job if you have this kind of prohibition in the Constitution.