

**Gus Solomon Inns of Court  
April 19, 2011**

**Introduction to Case Review, April Pupilage Group**

From the Inn Committee, we were given this charge: Separation of Church and State: Where does the separation arise from, both historically and within the constitution itself? Why is it necessary/important and how has that played out in Oregon? Where has that line been blurred? Is there tension between adherence to this provision and the freedom to practice one's religion? What are the recent examples of tensions surrounding this clause (gay marriage/prayer in public schools/teaching intelligent design in public schools, etc.)?

Our group has had difficulty finding meeting times. We decided to focus on the Oregon constitution and related cases because we could break down the constitutional cases in Oregon and proceed efficiently without having the lengthy discussions that meetings would generate regarding the U.S. constitutional cases.

The Oregon case focus would be informative and to cover the U.S. Supreme Court cases on this subject would probably take a full day CLE.

The Oregon constitution provides:

**Section 2. Freedom of worship.** All men shall be secure in the natural right, to worship Almighty God according to the dictates of their own consciences.

**Section 3. Freedom of religious opinion.** No law shall in any case whatever control the free exercise, and enjoyment of religious [sic] opinions, or interfere with the rights of conscience.

**Section 4. No religious qualification for office.** No religious test shall be required as a qualification for any office of trust or profit.

**Section 5. No money to be appropriated for religion.** No money shall be drawn from the Treasury for the benefit of any religious [sic], or theological institution, nor shall any money be appropriated for the payment of any religious [sic] services in either house of the Legislative Assembly.

**Section 6. No religious test for witnesses or jurors.** No person shall be rendered incompetent as a witness, or juror in consequence of his opinions on matters of religion [sic]; nor be questioned in any Court of Justice touching his religious [sic] belief to affect the weight of his testimony.

Materials will be distributed regarding several groups of cases related to these provisions.