



Commentary: Legislature may have been empowered

December 23, 2006

The recent special session of the Louisiana Legislature is drawing mixed reviews, but most are negative. The Public Affairs Research Council has weighed in, calling the session "a waste of taxpayer dollars."

There is one aspect that could make the session worthwhile. The Legislature may finally have achieved equality with the governor in the system that is supposed to give us a balance of power between the executive, legislative and judicial functions.

The office of the governor in Louisiana has long been one of the strongest in the nation. The power is rooted in French rule. Appointed by the king, the governor was assured superiority over other branches. Later, the planter-elite class, which ruled the state until the rise of Huey Long, favored a strong chief executive with power over appointments at the state and local levels.

When the planter-elite class lost power to Long, the situation worsened. Long seized dictatorial powers, extending the appointive authority of the governor to include even the appointment of school teachers.

After Huey Long was assassinated and his successor went to prison, there were cosmetic changes in the power structure, but the governor remained dangerously powerful. During Earl Long's final term as governor, he roamed the aisles of the House and Senate freely, cajoling and threatening lawmakers. A legislator away from his desk while Long was on the prowl risked having the governor cast a vote for him.

Governors no longer roam the aisles, but their appointive power is still extensive and their strength unique. Until now, the last time we remember a governor losing control of the Legislature was on one of the occasions when the feds were after Edwin Edwards and he was too tied up in court to exercise authority over the lawmakers.

Equality of the executive, legislative and judicial branches is needed. The little session that couldn't may have taken Louisiana in that direction. The Legislature asserted itself. Whether it will maintain equality with the chief executive remains to be seen.

Those responsible for the assertive stance - primarily Republicans - must emerge victorious in at least one more session if the body is to truly be empowered at a level equal to the executive branch. That is not a certainty. First, Blanco should not be underestimated. Her track record - legislator to Public Service commissioner to PSC chairman to lieutenant governor to governor - is remarkable. Her inner circle contains some of the best political strategists Louisiana has known. It is not inconceivable that Republicans have been set up to suffer the rage of those voters who would have benefited from the bills they killed.

Whatever the outcome, it has been proved that the legislature can rise above its subservience to the executive branch. If a true balance of power is established, the state will benefit.