



Stop making laws by amendment

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Many readers exited the polls confused and exasperated after attempting to decipher the 13 constitutional amendments on the Sept. 30 ballot. According to the Public Affairs Research Council, this was the third-largest number of amendments placed on a single ballot since the 1974 Constitution was adopted.

But hold on. There are more to come. On Nov. 7, there will be eight more amendments for voters to muddle through. According to PAR, 2006 has shaped up to be a record year for proposed changes to the Louisiana Constitution.

Other states use the legislative process to establish state laws or they use the initiative and referendum process that emanates from citizens.

But in the Bayou State, we tend to embrace populist ideals, and the past has given us ample cause to distrust our government, so we govern by amendment. Legislators like the process because they can just pass the tough issues on and tout the outcome as the voice of the people. Subsequently we Louisianians accept the litany of post-Legislative session amendments as a fall ritual—it's just something we do before the first frost tints the landscape each year.

Surely this process must, in some measure, make our governing document more pure, more representative of the majority's wishes. Not always.

Consider that last Saturday, only 20 percent of registered voters actually voted. All of the amendments passed—even the ones that contained drafting errors that will require another amendment to clear them up.

Eighty percent of the voters didn't bother to weigh in on the amendments because they didn't vote at all. Of the 20 percent who did vote, analysts suggest that many just voted "yes" out of exasperation for a process that has become overwhelming.

Or perhaps the 20 percent who voted believe that a wise Legislature with good intentions proposed amendments that would create better government for all.

Actually, the two amendments that contained drafting flaws narrowly passed; which indicates that some voters did do their homework before election day.

Why are we disturbed by the "government by amendment" process in Louisiana? Because a state's constitution ought to be a rather brief outline of basic laws that govern the state.

The 1921 Louisiana Constitution swelled from 49,200 words to 255,500 words that contained 536 amendments before voters revolted in 1970 by rejecting all 53 proposed amendments. The brief document adopted to replace the 1921 constitution contained only 35,000 words in 1974. That constitution has now been amended 127 times make that 140 with the latest adoptions.

Voters will consider eight proposed amendments in the Nov. 7 election. If they involve matters that could be handled by statute, they ought to consider opposing them. Voters should be fundamentally opposed to what PAR describes as "law by amendment." They should expect our elected officials to demonstrate leadership by taking difficult stands on hotbed issues when necessary.

Louisianians amend the constitution far more than most states. We should not aim for the top of that list.