

the conclusion that an executive branch headed by more than one man is not in effect an effective department for the coming years ahead.

I suggest to you that this Convention has already reached the Rubicon in this field, and has crossed it. We have elected here over the last weeks to construct a strong, virile judicial branch; perhaps the strongest of any state in the country. We have elected here to construct a strong, virile legislative branch, perhaps as strong as any in the country; we have increased their powers substantially.

I say to you, if we now back away from the construction of a strong executive, the only thing we will have done, is we will have constructed a three-legged stool, only two legs of which are of the same length.

Those decisions are behind us. This decision is in front of us.

If we believe what people who are students of this field tell us, we must believe that a strong executive is necessary.

Three chief arguments are advanced in the Minority Report for the continuance of the status quo. First, they talk about the elected comptroller being a watchdog for the governor. There is some apparent inherent belief that Maryland will for the future have corrupt high public officials; that it is necessary in order to protect against this to provide somebody who can look over his shoulder and see that he is constantly kept up to the mark. They concede that all of Maryland's governors of the immediate past to the present have been highly responsible people. They also argue that the comptrollers of the past, by virtue of having an elective office within the executive branch, and having substantial voice in the fiscal affairs of the State, have created no problems to the exercise of effective executive control. It would seem logical to say that if they have not created any effective problems, then they have not in fact been effective watchdogs; and if they have not been effective watchdogs, q. e. d., why do we need them?

The question thus seems to me to be presented which is more likely for the future, that a corrupt governor will escape detection by the legislature, the courts, the president, the post-auditor, which this body has created, or is it more likely that some future comptroller will so behave as to impede effective exercise of executive power?

We suggest that the question answers itself.

The second argument relates to the catch phrase, checks and balances. This is a worthwhile phrase, long ingrained in our political history, but like all catch phrases unless it is used accurately, it can do more damage than it can be helpful.

Somehow the minority feels that the protection of people rests with an executive which must be constantly checked, and I suppose if this argument is carried to its logical extreme one could say that effective government action can only be in an area where there is a complete check, and a complete balance, which can only lead to stalemate.

The fact of the matter is that the most casual reading to the political philosophy underlying our tri-party system makes it perfectly clear that the principle is intended to apply between branches, and not within branches of the government.

If we undertake to construct a tri-party system, as this Convention is now committed to do, strong in two branches, divisive and weak in the third branch, the only thing that we can expect from that is trouble for the future.

The third and final argument which they advance in the Minority Report is that somehow, by eliminating an elective office, and here I use their term, we are diminishing democracy, to the extent that we eliminate an elective office.

Reference was made to this on the floor of the Convention in its debates this afternoon. The question, I think, was quite properly posed, if we are here diminishing it, would we augment democracy by adding additional elective offices? Would it perhaps be wise to have a director of the sales tax division an elected official, thus providing a check and balance within the comptroller's office, so that we would thus accomplish two things.

It seems to me that the making of the argument answers itself.

The truth of the matter is, democracy is in essence the control by the people of their government. That structure which best permits the people to exercise their will, is that government which is most effective, most democratic, and most what the people of Maryland are waiting for.

If we construct a multi-headed executive, a troika, we will in essence have defeated the purpose for which we are here assembled.