

cise that power. Here we are concerned with powers granted by the people to the legislature to draft and enact laws. To deny initiative leaves the subordinate body, the legislature, with powers granted by its superior, the people, but not possessed by the superior. It may be argued that this is also true with the other two branches of government. In those cases, however, it is not feasible for the people to exercise the powers in question. On the other hand, it has been demonstrated, by other states, that it is feasible for the people to draft and pass legislation."

What are the practical advantages of indirect initiative? Simply it permits the minority or majority interests, as we found in Oklahoma in that one case, an orderly and controlled method of placing proposed laws before the legislature and then the people. The legislature, and properly so, is rarely moved to effect significant changes in politics without a real demonstration of popular support. The petition plus the possibility that the issue could go on the ballot will guarantee consideration by the legislature. It is believed that this consideration will often lead to either exposure of blatant defects or passage of a substantial equivalent of the proposed law.

The second advantage is it stimulates, this is most important, I think in this day, it stimulates public involvement in issues and policies just as elections involve the people in choices of personalities for office. Great latitude is provided by our recommendation for public discussion. We require that the bill be submitted ninety days before the legislature convenes. We require that the legislature itself deliberate in public. We require that 60 days intervene before it can be placed on the ballot.

A third practical advantage is that since referendum is essentially negative in character, it would seem to be preferable to balance this off, and this may be why both are usually found together in other state constitutions. Indirect initiative is more positive, encourages a public dialogue before enactment rather than after and permits those who might advocate something to do so in a positive constructive way with the legislature rather than simply to react against the legislature.

Most importantly, we can anticipate that the new constitution will strengthen government as a whole by making it a more efficient instrument. There is a prevalent feeling that government is growing further from the people.

There can be little doubt that the more efficient you make government, the stronger you make it, and the stronger you make it and the more efficient you make it, and the further it grows from the people.

It cannot be doubted that the inclusion of an indirect initiative provision will make this constitution more attractive to those seriously and rightly concerned about the growing power of government. We submit that without regard to whether the new constitution would be more attractive, we in Convention have an obligation to look to measures which will strengthen the people's control. Elections are not enough and referendum being negative is also insufficient. Indirect initiative would complement both.

Who of us here can say with any degree of confidence that there will never be a political-social-governmental issue in the future in which the people by indirect initiative should not have a direct voice.

Why is it necessary in pursuit of this Convention's common desire to strengthen our three branches of government to conclude that the right of the people, which is superior to all three branches, to speak with a forceful voice on issues, should be diminished.

True, we should be confident that harassment of our government is made difficult or impossible. In the scales of democracy we always weigh the advantages to our free society resulting from the people's exercise of their right of involvement in government against the inconvenience to the government that inevitably results from that exercise. It is our tradition to suffer the inconvenience.

Some of the same questions raised about referendum are raised about initiative. Is this interference with legislative process? Is it a display of no confidence in the legislature? Can it be promiscuously used? We answer an emphatic no to each question. Is the veto or bill signing an interference? No, it is part of or a supplement to the legislative process. Is referendum an interference? No, it is part of or supplement to the legislative process. Initiative is also a part of or supplementary to the legislative process. But there are others who submit an entirely different theory and they say that referendum and initiative are foreign to the legislative process as distinguished from the law-making process, that they are separate and distinguishable instruments of self-government on a par with the instrument of election of representatives to