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PENNSYLVANIA'S CONSTITUTIONAL CONVENTION IN PERSPECTIVE

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On December 1, 1967, 160 delegates¹ to the Pennsylvania Constitutional Convention (Con-Con) gathered in the hall of the House of Representatives to begin a grueling three-months' effort to improve four major parts of the Commonwealth's constitution.

Now, two years later, seems an appropriate time to attempt, from one delegate's view, an assessment of that undertaking. It is not proposed to describe or analyze the details of the constitutional changes which the voters of Pennsylvania ratified in April of 1968. The purpose of these notes is rather to present the background for the convention and to comment on the way the delegates went about their assignment. How did they arrive at decisions? How much party politics was involved? Did the convention's rules of procedure hold up under fire? In the final analysis, did the convention score a plus or a minus for democracy?

PREVIOUS ATTEMPTS

As the delegates assembled at the state capitol they were aware of the frustrating history of attempts to transform the 1873 constitution into a document capable of meeting twentieth-century prob-

lems. Six different times, commencing in 1891, the people of the state had voted to reject proposals for holding a constitutional convention. Although more than 70 amendments were tacked on to the constitution they had contributed to giving the document a patchy appearance.

In the late 1950s, partly as a result of prodding by Governor Leader, the General Assembly created a 15-member Commission on Constitutional Revision (Woodside Commission). This group, which labored for a year, decided by a split vote against calling for a constitutional convention, but produced proposals for 123 changes in the document, including 33 "critically needed" and 22 "very desirable." But the immediate results, as measured by actual amendments, were almost zero. And despite heroic efforts in 1963 by Governor Scranton and by Milton J. Shapp a proposed constitutional convention was rejected by the people by about 40,000 votes, out of a total of 2,250,000 cast.

A sizable number of influential Pennsylvanians, however, was determined that something must be done to modernize the constitution. Among the key leaders of this drive was William A. Schnader,

¹ Three were absent.

long-time advocate of constitutional reform, one-time attorney general of Pennsylvania, and 1962 president of the Pennsylvania Bar Association. Schnader came to the "firm conclusion that it is very unlikely" that the people of Pennsylvania would in the near future vote for a constitutional convention. He challenged the Bar Association, therefore, to assume the leadership in attaining needed constitutional revision.

During Mr. Schnader's term as president, a network of committees of the Association vigorously participated in "project constitution" and gave birth to fourteen proposed amendments which included many of the changes advocated by the Woodside Commission. These article-by-article amendments, as they were called, were aimed at re-writing, repealing, or rearranging entire articles, rather than sections, of the constitution. All the proposals were introduced into the General Assembly with Governor Scranton's backing. The legislature, as a result of favorable votes in two successive sessions, promptly placed two of the suggested amendments on the ballot. After these were approved by the voters in 1966, the legislature placed seven more of the proposals on the May 16, 1967 primary ballot.

The remaining Bar Association proposals dealt with four highly controversial subjects — riddles someone called them: legislative apportionment, local government, taxation and state finance, and the judiciary. The legislature chose,

therefore, to ask on the same primary ballot whether the voters would approve the creation of a limited constitutional convention to thresh out answers to these four peppery issues.

In the months before primary day the constitutional revisionists, contrary to some of their past experience, mustered rather broad support. Not only were the seven amendments backed, as expected, by the Pennsylvania Bar Association, the League of Women Voters, the American Association of University Women, etc., but also by, among others, the AFL-CIO, the Pennsylvania Medical Society, the Jaycees, the Council of Churches, and both the Republican and Democratic State Committees. Undoubtedly the opposition to the limited convention was diminished by the provision written into the proposed enabling law forbidding the convention from recommending anything which might either permit or prohibit a graduated income tax. Widespread fear of such a tax had been partly responsible in the past for sinking more than one proposal for a convention.

The proponents of revision also received welcome aid from A Modern Constitution for Pennsylvania, Inc., a nonprofit, non-partisan "research and information organization" which brought the questions more clearly to the public.²

² Richard C. Bond, chairman of the board of Wanamakers, was president. Robert Sidman was executive director.

ENABLING ACT SIGNED

Newly elected Governor Raymond Shafer, who took office on January 17, 1967, quickly made it known that updating of the constitution had the highest of priorities in his administration. After signing the enabling act for the convention, he created a Committee for 9 Yes Votes. Leaders of both major parties in this organization joined in advocating voter approval of the seven article-by-article amendments, of the call of a limited convention, and of an additional proposed amendment to authorize a \$500 million bond issue for conservation. The honorary co-chairmen, Republican William Scranton, most recent governor, and Democrat George Leader, former governor, traveled up and down and across the state proclaiming the urgency of constitutional modernization.

That the bipartisan flavor of constitutional revision was maintained throughout the 1967 session of the legislature is revealed by the following votes on submitting each of the seven article-by-article amendments to the people:

Senate	48-0;	48-0;	48-0;	48-0;
	48-0;	48-0;	48-0;	
House	197-0;	203-0;	201-1;	202-1;
	202-0;	165-38;	203-0.	

The legislation providing for the referendum on calling a convention was approved 43-5 in the Senate and 166-33 in the House.³

³ The make-up of the Senate was 27 Republicans and 22 Democrats (one seat contested); of the House 104 Republicans and 99 Democrats.

In spite of high-powered support for modernization of the constitution, the proponents of revision were anything but over-optimistic in predicting voter reaction to the proposed convention. The performances of the voters had shattered too many hopes in prior elections. Moreover, some of the strongest and respected champions of constitutional reform, such as Dean Jefferson Fordham of the University of Pennsylvania law school and Richardson Dilworth (both of whom were members of the Woodside Commission) were blasting the idea of a limited convention as a poor and crippled substitute for an open convention.

To many persons it came as a happy surprise, therefore, when the convention was approved by a landslide of more than 437,000 votes.⁴ All eight amendments also won by even larger margins.

Although the total job of constitutional revision was not yet completed, several significant improvements had now been made, including, for example, the provision that the governor (but not incumbent Shafer) could serve two successive terms. This provision, incidentally, had been defeated in a 1961 election by 85,000 votes.

COMPOSITION OF CONCON

The General Assembly had directed that the convention consist of 150 elected delegates plus

⁴ 1,844,507 votes were cast.

12 ex-officio legislative leaders and the lieutenant governor, for a total of 163. The county committees of each party were empowered to select two candidates in each of the 50 senatorial districts. Other individuals could get on the ballot by a petition signed by 500 voters in a senatorial district. Under a system of limited voting, each elector on November 7, 1967, was entitled to vote for two candidates from his senatorial district. Since three were to be elected, minority representation was likely in each district. As it worked out, 88 delegates were Republicans and 75 were Democrats. Eleven were women. Many of the delegates were exceedingly able.

It would be hard to dispute one delegate's comment that this was probably the best prepared constitutional convention ever held in the United States. The lieutenant governor and the twelve legislative leaders, who were designated in the enabling act as a Preparatory Committee, gathered together a staff under the able direction of John W. Ingram, on loan from the Pennsylvania Economy League. Unlike the procedure in some conventions, where a preparatory group drafts recommendations to be considered by the elected delegates, this committee supervised the preparation of factual, background research designed to provide essential data for informed action. As a result, each delegate, before the convention began, received a veritable encyclopedia of

information in the form of nine reference manuals.

When the delegates first assembled in Harrisburg on December 1, 1967, some of them were in a skeptical mood. Since the legislature had rejected the election of delegates on a nonpartisan basis, some of the delegates as well as some of the general public feared that the convention would fall victim to the same vicious partisanship that had erupted in the convention in the neighboring state of New York. Within less than a month before the opening of the Pennsylvania convention, the New York voters had soundly defeated the entire product of their convention. If any good came from the New York convention, it was that many of Pennsylvania's delegates were determined not to imitate that disaster.

PARTISANSHIP MINIMIZED

It quickly became apparent that excessive partisanship was not to be a guideline in Pennsylvania's convention. In New York the delegates had been seated in typical legislature style with Republicans on one side of the hall and Democrats on the other. The tentative rules proposed by the Pennsylvania Preparatory Committee were intended to minimize party differences by seating delegates by their district numbers. The convention went even farther, however, and, as in the Maryland convention, seated them alphabetically. Further to discourage partisan politics the four top offices

were split between the two parties: elected unanimously were Lieutenant Governor Raymond J. Broderick, Republican, president; Robert P. Casey, Democrat, first vice-president; Frank A. Orban, Republican, second vice-president; and James A. Michener, Democrat, secretary. And as an additional safeguard against excessive partisanship, each of the eight major committees and each of the sixteen subcommittees was headed by co-chairmen, one from each party; and each was composed of an equal number of Republicans and Democrats. Incidentally, none of the thirteen ex officio delegates from the Preparatory Committee was named as a co-chairman.

In line with the prevailing spirit of the convention the chairmen of the Republican and Democratic State Committees called for the elimination of party politics. But in direct conflict was the comment to the press, in the opening days of the convention, by one delegate, which led to the headline, "Devlin assails convention as 'phoney' bi-partisanship."

No one would assert that the convention completely escaped partisan politics. But the degree to which it was held down was remarkable. A party caucus clearly would have been unacceptable. There were no such offices as majority leader or minority leader. The bipartisanship decidedly was not "phoney."

CONCON OPENS

Promptly at noon on December 1 Governor Shafer banged the gavel opening the convention, and urged the 160 delegates present to "forsake the selfish interests of today for the universal interests of tomorrow." And Chief Justice Bell of the state Supreme Court swore in the delegates.

The next five days were partially devoted to ceremonies honoring various groups of distinguished Pennsylvanians. On governors' day, for example, when three of the six living full-term governors addressed the delegates, the mood of bipartisanship was clearly evident. Chosen to introduce Democrat Governor Leader was Republican delegate Stanley Stroup, majority leader in the state Senate; and to introduce Republican Governor Scranton was Democrat delegate Robert Casey, former state senator. Both introductions were conspicuously warm and laudatory.

Also during the first week the delegates listened to detailed and expert briefings on the four issues assigned to the convention. The lecturers, who had prepared the reference manuals on the same subjects, were David Stahl, solicitor for Pittsburgh and former state attorney general, on legislative apportionment; Judge Burton R. Laub, dean of Dickinson Law School, on the judiciary; David H. Kurtzman, state superintendent of public instruction, on taxation and state finance; and

William G. Willis, vice-president of Temple University, on local government.

One of the major concerns of the delegates was whether the ConCon could complete its work within the mandated three months. If they could do so, many of them felt, they surely would merit the title of "90-day wonders." Admittedly, some delegates had come to the convention expecting a schedule more like that of the General Assembly, of perhaps two or three days a week. But it quickly became evident that much more time would be required. By the end of the first week, therefore, there was sporadic delegate complaint that the ceremonial activities were taking too much time. The members were impatient to get started on the real business of the convention. As one delegate put it, "I'm tired of hearing speakers tell us our job is important."

The first week was not wasted, however. The briefings by the experts on the four issues were highly worthwhile. Moreover, the temporary Rules Committee, after soliciting advice from all delegates, was able to come to the convention on the fourth day with proposed rules of procedure which were unanimously adopted — perhaps a record for a state constitutional convention. And on December 11 the permanent Rules Committee gave the go signal to the

convention by announcing the crucial 232 appointments to all the committees and subcommittees.

Included in the rules were rigid deadlines for the completion of the various steps in the consideration of proposals. For example, no delegate proposal could be introduced after January 5, all hearings were to be completed by January 19, all committee proposals were required to be submitted to the convention by February 2, and second consideration of all committee proposals had to be completed by February 7. In addition, committees set deadlines on themselves and on their subcommittees.

Exceptions to some of these deadlines were possible by a majority (82) vote of the convention.

As a result of the time limits, committees sometimes were forced into long or late meetings. One subcommittee, for example, faced with a demand for a report, remained in constant session from 1:30 to 7:30 p.m., with a five-minute break the only interruption. Night meetings were not unusual.

Difficult as it was to meet some of these deadlines, they were absolutely necessary if the work was to be completed by February 29. It probably was wise to limit the convention to three months and get the job done, even though some of the older members found the pace exhausting. Without this overall deadline, the session could have dragged along indefinitely.

ACTIVITIES CONFINED TO FOUR ISSUES

One other concern about the convention, before it started, was revealed by the doubts of some observers whether the body would actually confine its activities to the four issues prescribed by the enabling act. There are good lawyers who say that a constitutional convention need not feel bound by legislative action, and there are other good lawyers who maintain the opposite. At any rate, there were some citizens in the state who feared above everything else that the convention might propose a change which would permit a graduated income tax; and others hoped it would do so.

Early in the convention, however, it became clear that the body would limit itself strictly to the issues listed in the enabling law. The clarification came early in the session, on December 11, when two delegates introduced the first proposal for a change in the constitution. Because the proposal provided not only for legislative apportionment but also for limiting the length of legislative sessions to no more than 150 days a year, it was held up for study. And the next day President Broderick declared the proposal out of order.

On almost a score of occasions, Broderick, after consultation with staff, ruled against the admissibility of proposals by delegates. One was a highly controversial amendment which would have permitted the use of state money for

the support of non-public schools. On only one occasion was such a ruling challenged, in which case Broderick was upheld by a vote of 131-12. Indeed, throughout the convention the delegates found the chairman both firm and fair.

The rules of the convention, as has been noted, provided for public hearings, with the stipulation that they be completed by January 19. Although the convention voted a holiday recess from December 22 to January 2, each of the four main committees scheduled hearings some time within the period December 27th to 29th. The hearings were open to the public both to attend and to testify. Most of the organizations or individuals who testified were particularly interested in one, or perhaps two, of the four issues of the convention. A few, especially the Pennsylvania Bar Association, the Democratic Study Committee, and the League of Women Voters, presented proposals in all four committee hearings. The first two of these organizations frequently failed to agree on what medicine to prescribe.

ConCon, during its first two months, did not gain a particularly enthusiastic press. Partly because of the extended ceremonies at the beginning of the convention, and a vote by the delegates against shortening the Christmas recess, some reporters seemed to gather the impression that the delegates were not going to work as hard as they might, although this feel-

ing apparently was eventually dispelled.

Paradoxically, the limitations on partisanship in the convention contributed to giving the assemblage a kind of aura of disorganization. In the Pennsylvania General Assembly much of the legislative warfare takes place in secret party caucuses, whereas in the convention any wrangling was openly visible to the press, both in committees and on the floor. It is probably fair to say that the intensity of some of the convention's conflicts was magnified in the press. When some of the delegates went home over the weekends, for example, they were surprised to be asked by their constituents whether they really were not on speaking terms with fellow delegates.

Moreover, some members of the press were hardly impressed by the first committee report released to the floor, from the Legislative Apportionment Committee. Some of the state press as well as others interested in reform had been advocating a smaller legislature, or at least a smaller House of Representatives, than the existing 50 senators and 203 members of the House of Representatives. The committee recommended, however, that both houses remain unchanged in size. And in spite of strong feeling among some delegates that a smaller House of Representatives was to be preferred, a clear majority of the convention firmly rejected a long string of proposed

amendments aimed at this objective.

As the end of the session approached, however, the press in general looked on the convention more favorably, although some of the influential newspapers in Allegheny County (Pittsburgh) remained less than laudatory.

In the spring of 1967, when the statewide campaign for a convention was in full bloom, some of its opponents had warned that the delegates would be controlled by various pressure groups and special interest groups. Some voters predicted, for example, that a majority of the delegates would be lawyers mainly interested in incorporating into the constitution the Bar Association's proposals on the judiciary.

Any observer who sat through the meetings of the Judiciary Committee, however, would have found it extremely difficult to find evidence that the Bar Association or anybody else was controlling the delegates. Actually the comment of one delegate, although exaggerated, perhaps came closer to the truth than any charge of pressure groups telling the convention what to do, or of the convention's being a tool of the Bar Association: "We've had as many opinions on a subject as there are delegates."

JUDICIARY COMMITTEE

Of the four substantive committees, it was the Judiciary Committee, of which 34 of its 42 members were lawyers, that had the greatest difficulty in getting

agreement by its members on what proposals to submit to the floor of the convention. And when their proposals did reach the floor, delegates both on and off the committee prepared 164 amendments to them, although only 92 were actually considered during the eight straight days of floor debate on the judiciary article. Good natured ribbing of the lawyers was inevitable. "When there are three lawyers," intoned one delegate, "there are four opinions."

Further brief comment on lawyers in the convention is in order. Although there had been predictions that lawyers would constitute a majority of the delegates, the actual count was 60 of the 150 who were elected. Since 9 of the ex officio delegates also were lawyers, the total count was 69 lawyers and 94 non-lawyers. If some researcher had the patience to count the number of spoken words in the convention Journal, he might find that the 69 lawyers produced three-quarters of them. It is no reflection on the other delegates that sometimes when issues were being debated on the floor or in committees, especially judicial or local government problems, the non-lawyers became lost in a maze of legal technicalities. When "king's bench jurisdiction in 1232" came into the debate, for instance, non-lawyers leaned back in their seats and waited for the darkness to lift.

LOCAL GOVERNMENT COMMITTEE

The Local Government Committee was an example of a group not rent by deep splits like those of the Judiciary Committee. This is not to say that the members of the former committee could find nothing on which to disagree. On the contrary, many of the debates within the committee were highly spirited. But the results of arguments never bordered on bitterness. Eventually the members hammered out a proposed package which gained a 41-2 vote of approval within the committee. Bearing in mind that 81 of the total of 210 proposals introduced by the individual delegates dealt with local government, the amount of agreement attained was noteworthy. In the key vote at the end of the second consideration of the article, the convention, after tacking on several amendments, overwhelmingly endorsed the article by 107-9. The vote a week later on the floor on the third and final consideration was 101-1.

VOTING

Although most votes on the floor of the convention were sufficiently heavy on either the yea or nay side to be decisive, there were a few occasions when the results were less than conclusive. More particularly, some of the deep divisions in the Judiciary Committee were reflected also in floor votes. Thus, during the final week of the convention, seemingly

interminable debate on the method of selecting statewide judges was accompanied by wide disagreement and sometimes indecision. Up for consideration was a proposal by a small majority of the Judiciary Committee that such judges be chosen by the "Missouri plan." Under this suggested "merit" system, as most lawyers know, the governor appoints the judges from a list of names provided by a Judicial Qualifications Commission. A judge so appointed would be required at the end of one or two years to have his name on the ballot, without opposition, to afford the voters a chance to determine whether he would be retained as a judge.

When the convention was considering this proposal, a delegate offered an amendment to retain the current system of electing statewide judges. The vote, following long debate, was a 72-72 tie and the amendment failed to pass. A motion to reconsider was then approved and this time the score was 75-75. Later in the day the convention held its ground by defeating another amendment, 67-79, which also would have dropped the "merit" system of appointment. But on the following day the convention swung in the opposite direction by voting to reconsider the 67-79 vote. This time the delegates voted 84-64 to eliminate the Judicial Qualifications Commission, leaving the appointment of statewide judges up to the governor subject to a two-thirds vote of approval by the state Senate.

By the end of the eight days of debate on the judicial article, and only two days before the close of the convention, the much amended article was further altered before its approval. Included was a compromise amendment which provided for a statewide referendum in the 1969 primary giving the voters the authority to decide whether statewide judges should continue to be elected or should be chosen by the governor with the help of a Judicial Qualifications Commission.⁵

It was inevitable that some observers of ConCon concluded that the convention acted too timidly and did not go far enough in trying to solve the four riddles assigned to it. Others were just as certain that the delegates went too far in tinkering with established practices and procedures in Pennsylvania.

Probably not one single delegate was completely satisfied with the convention's product. Each of the four problems tackled by the convention was a difficult one, and more than a few delegates openly admitted that the more they delved into a particular subject the less sure they were of what was the best solution. But when the debate was all over, the delegates as a whole—with very few exceptions—sincerely believed that their proposals clearly represented improvements over the existing provisions of the constitution. Indeed, after

⁵ At the primary election in May, 1969, the vote was 643,960 to 624,453 for retaining the current elective system.

the convention had adjourned, when President Broderick wired each delegate asking if he would join in urging approval of its recommendations at the polls in April, only two or three delegates replied that they could not do so. This unusual degree of solidarity among the delegates was a hallmark of the convention and unquestionably went far to account for the relative success of the undertaking.

DELEGATE SOLIDARITY

In searching for explanations for the unity of the delegates, one would have to give high priority to the sense of dedication on the part of a large percentage of the delegates. Of course there were exceptions. As would be expected, some delegates — fortunately a small number — saw the convention as a political game. And some, proposing amendments that were certain to be defeated, seemed primarily interested in getting their names in home-town papers. But the far more typical delegate was primarily interested in a better constitution for Pennsylvania. One delegate who had had extensive experience in all three branches—legislative, executive and judicial—of Pennsylvania government, stated on a television program that the convention seemed to bring out the best in people, that he had never seen anything like the performance of the delegates at this convention.

As the convention progressed, a spirit of camaraderie developed

among the delegates. A week before the closing date, for example, one respected delegate became confused in debate. Later in the day when he realized his mistake he took the floor to acknowledge his confusion and commented that anyone hates to make an "ass" of himself. Instantaneously the entire body of sympathetic delegates rose and applauded.

And on top of the general good will among the delegates there was a feeling of belonging to a group that was doing something important. Many delegates nodded in assent when, half-way through the convention, the president of the recently completed convention in Maryland visited a Pennsylvania session and told the delegates that "Because of the dismal failures that have beset revision in other states in recent years, I am quite convinced that if Maryland and Pennsylvania do not now succeed, the whole cause of Constitutional revision in the country will be set back many years."⁶

An indication of the atmosphere of conscientiousness and dedication among the delegates was the limited amount of small talk when a few delegates would get together for lunch or dinner; the business of the day usually monopolized the conversation. And, as has already been noted, while there were some political overtones in the convention proceedings, partisan politics was shoved into a rear seat.

⁶ The voters later rejected the proposed new Maryland constitution.

UNDESIRABLE DETAIL AVOIDED

One of the most difficult problems in writing a constitution is determining how much detail to include in the document. It is well known, for example, that many state constitutions suffer from an excess of detailed provisions which more properly should be legislation passed by the legislature rather than frozen into a constitution. Time and time again in ConCon the delegates were torn between incorporating broad guidelines in the constitution versus adding detailed provisions to take care of things for which the legislature in the past had failed to provide. While it can be argued that perhaps some items in the final proposals were too detailed, in general the majority of the delegates were alert to blocking excessive details such as the proposal for tax exemption for any person over 65 years of age who owned a home assessed at less than \$10,000.

From the very first day of the convention the delegates were continually reminded that they were drafting a constitution for the twenty-first century. Generally speaking, the members accepted this challenge and strove to produce progressive proposals, remembering all the time, however, that it was necessary to strike a balance between drastic reform and the status quo. Not until the election in the following April would it be known whether the balance which they engineered was

acceptable to the people of the state.

REQUIREMENTS OF ENABLING LAW

The convention's enabling law had provided that there should be no less than one separate ballot question for each of the four articles to be recommended to the voters. The delegates' final decision was to frame one question each for the articles on legislative apportionment, local government, and the judiciary, and two questions on taxation and state finance, for a total of five ballot questions.

Another requirement of the ConCon enabling law was that the convention had to adjourn by February 29. With the help of several late-night sessions, the members met the deadline and adjourned sine die at 10:41 on the night of the 29th. President Broderick was engaging in no exaggeration when he reminded the delegates: "You know, you worked murderous hours. You ignored your businesses, your families. You have ignored your personal life over the last three months. . . ."

CONCON ADJOURNED

After ConCon adjourned, less than eight weeks remained until the voters would have their chance to react to the convention's proposals. A Committee for 5 Yes Votes was promptly organized under the chairmanship of the two bipartisan war horses, ex-Governors Scranton and Leader. As noted previously, almost all the dele-

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gates agreed to serve on this committee. Flyers and speech material were prepared in the offices of the committee and distributed widely.

At the same time A Modern Constitution for Pennsylvania, Inc., made available a pamphlet listing "40 Steps Forward and the 5 Convention Proposals to Bring Them About." And the convention staff distributed 200,000 copies of a 20-page detailed Address to the People,⁷ 1,000,000 of a 1,500-word condensation of the same, and 3,000,000 of a smaller leaflet.

It quickly became apparent that winning approval by the voters was not going to be easy. In various parts of the state the opposition to specific articles or parts of articles was highly vocal. Some of its heavier artillery was aimed especially at the taxation and the judiciary proposals.

At this point some of the proponents of the recommendations began to believe, if they had not before, how fortunate it was that the General Assembly, in the enabling law, had specified (1) that the proposals could not be lumped together in one ballot question, and (2) that any proposal concerning a graduated income tax was out of order. It seems logical to assume that both of these provisions helped to reduce the chances of opposing groups joining forces.

There is no denying that parts of some of the convention's proposals were necessarily so complex

⁷ *Constitutional Proposals Adopted by the Convention.*

that many citizens had considerable difficulty in understanding the full implications of the suggested articles. This being so, it was likely that the criticisms expressed by opponents would tend to raise doubts in the voters' minds. Strongly counteracting this possibility, however, was the prestige of Governors and co-chairmen Scranton and Leader as well as of Governor Shafer. Moreover, as has been suggested, the high degree of unity of the delegates in support of the proposals must have convinced some voters that a vote of "yes" was justified.

In line with this thinking, the Committee for 5 Yes Votes organized a press conference "blitz," as they called it, to be staged a week prior to election day. Three planes, taking separate routes, carried three bipartisan groups to a score of airports blanketing the state. Participating in press conferences at the airports were the three governors, leaders of the ConCon, and officials of both political parties.

FIVE "YES" STATEWIDE VOTES

When the people spoke on April 23 they expressed substantial confidence in ConCon. All five statewide votes were "yes." Least popular of the proposals was the one on taxation, which gained 52 per cent of the votes cast. At the top of the list were legislative apportionment 65 per cent, state finance 62 per cent, and local government 61 per cent. The judiciary attracted 56 per cent.

No one would argue that the five proposals represented perfection. But whatever measuring device is used, ConCon must be classified as an effective and successful convention. And the relative success of constitutional revision in 1967-68 in Pennsylvania, in contrast to the disappointing results in New York and

Maryland, would seem to uphold the contention that sometimes piecemeal revision of an antiquated state constitution can be singularly effective.

ConCon, in the broadest sense, made a further important contribution to Pennsylvania history by providing a fine demonstration of democracy in action.