



CONSTITUTIONAL CONVENTION

# No good reason for ConCon now

The hypothetical question before the voters is, "What can be accomplished through a constitutional convention?" The answer is: Quite a lot. Just look at all of what was accomplished at the 1978 ConCon in Hawaii, the last time this state opted to hold one.

There were amendments that solidified the state's oversight of natural resources, protection for Native Hawaiian rights, good-government moves such as authority to regulate campaign spending. A total of 34 amendments went to the voters, who ratified all of them.

But the question that faces voters on Nov. 6 is not a hypothetical. It's a real choice. Should this state have another ConCon now, lacking any compelling drive from the grassroots to convene one? The answer is no.

The state Constitution itself mandates that the voters consider authorizing a convention every decade. Lawmakers can opt to put the convention question on the ballot at any time, but if that hasn't happened after nine years, the question will be put to the electorate in the 10th.

Where there is general enthusiasm for the proposal is as a vehicle for civic engagement. Without a doubt, Hawaii needs an infusion of this. In the 2016 election, Hawaii's voter engagement had the dubious honor of a first-place finish in a race to the bottom. The fact that it was a presidential election year magnifies the distinction: At 43 percent, the state charted the lowest voter-turnout rate in the country.

As for candidate participation, that's another dispiriting metric, with so many seats going unchallenged.

The last ConCon did bring newcomers within the tent, some of them destined for a long political career. But in 1978 the issues came first, and from the grassroots, and that organic quality was what fueled its productivity.

Some advocates today call for constitutional authorization of an initiative process, empowering citizens to pass legislation through the ballot. But that hasn't always played out well in states that have initiative, with California's various

tax proposals being the most high-profile examples.

Decisionmaking on fiscal matters requires more careful analysis than the general public is likely to bring to the question, given the outsized influence of monied lobbying groups. The same concern arises for other policy matters, as well.

Some of that concern was raised in recent weeks by participants in a "Citizens Jury" that was convened by the University of Hawaii Public Policy Center and other sponsors, with the aim of examining the idea of a ConCon.

There was no definitive verdict, but on the direct-democracy question, there was this official observation: "Most Hawai'i voters are unlikely to spend the time and effort to become sufficiently informed on proposed amendments." That should give everyone pause.

If the electorate decides to press for initiative, there should be an upswelling of support for the idea, with pressure brought to bear on lawmakers who can put it on the ballot at any legislative session.

There's been a more general complaint raised about the pricetag to hold a ConCon. One estimate projects a \$55 million cost figure. Further, some worry that political action committee money from beyond the state could swamp the process.

But costs can be contained, and delegates should be expected to evaluate the various viewpoints that stream into the convention, whatever their source. These issues comprise no real reason to reject a ConCon.

The real reason is that if Hawaii wants to have a successful ConCon, one unlikely to be overtaken by outside influence, then there must be an internal driver to the debate, a core agenda embraced by Hawaii residents themselves.

Until there is, let's say "no" to ConCon.