

## CONSTITUTIONAL COMMISSION DESERVES SUPPORT

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GERALD BENJAMIN

Governmental reform arises from the joining of opportunity with preparation. That's why Gov. Andrew Cuomo's commitment in the 2016 State of the State message to appoint and recommend funding for an "... expert, nonpartisan commission to develop a blueprint" for a potential constitutional convention is his most important reform initiative this year.

Opportunity is in the offing. On Nov. 7, 2017, New Yorkers interested in cleaning up state government will find this question on the ballot: "Shall there be a convention to revise the constitution and amend the same?" To fully grasp the reason for this vote, required every 20 years since 1846, we need to go back to basics.

In our democracy, we the people rule. We delegate out of necessity, creating representative governmental institutions to get the day-to-day job done for us. But we need some safeguard, some way to fix things that go wrong with those institutions, or with the people we select to run them. That's why our constitution provides every generation of New Yorkers with the chance to either affirm that we are content with the system as it is, or say that we want to consider fundamental changes in how we are governing ourselves. Crucially, this review is a part of, not apart from, our design for self-governance. It is integral to making sure our system of state government is serving us reasonably well.

Few New Yorkers are familiar with the state constitution and what's in it; in fact, many don't even know we have one. So people have a hard time connecting compelling current concerns -- such as widespread corruption, or non-competitive elections, or a need for major improvements in such fundamental policy areas as education -- with the possibility for reform through state constitutional change. Moreover, each of us will have only three or four chances in a lifetime to vote on whether to hold a state constitutional convention. This means that even for attentive citizens, the change process is unfamiliar.

One key role of the commission Cuomo will appoint is to fill this knowledge gap. I was research director for the Constitution Revision Commission created by Gov. Mario Cuomo in anticipation of the vote in 1997 on the mandatory convention referendum question. Our chair was Peter Goldmark, a renowned former state budget director and Port Authority head, then president of the Rockefeller Foundation. Among our members was a former Republican governor, Malcolm Wilson. All our commissioners were persons with extensive governmental, business, labor or not-for-profit experience. The group was broadly representative of New York's diversity, political, demographic and geographic.

The hearings we held across the state and the expert research we commissioned informed the commission's public deliberations, and through these the broader public, on the procedural and substantive questions attendant to the calling of a convention.

New York voters chose not to call a constitutional convention in 1997. Wide support dissipated as a result of legislative hostility and a strong assault by organized interests seeking to protect constitutionally-grounded prerogatives.

Yet the commission's work was not wasted. It provided a wide-ranging, balanced analysis of the constitutional issues facing the state, a focused action program in such key areas as education, budgeting and home rule, and the basis for proposed legislation to modify the revision process itself.

Now, almost 20 years later, many of the state constitutional issues we explored in the mid-1990's persist, and new ones have emerged. (For example, the possibility of an appointed lieutenant governor was not earlier contemplated.) Meanwhile, an unremitting flood of corruption and scandal has further diminished New Yorkers' trust and confidence in state government.

Preparation to take advantage of opportunity requires leadership. In his 2016 message, Cuomo expressed support for a constitutional convention because, as he said, "From ethics enforcement to the basic rules governing day-to-day business in Albany, the process of government in New York state is broken." This sort of executive commitment, combined with thoughtful non-partisan preparation by a constitution commission, brings greater public support for convening a convention. This is why the creation of such a commission is good news for New York.

Gerald Benjamin is distinguished professor of political science, associate vice president for regional engagement and director of The Benjamin Center SUNY New Paltz.

