

# Initiative procedure needs second look

Oregon voters are powerful people. They can affect the lives of thousands of citizens by punching a single hole in their ballot. It takes just one punch to elect a public official, enact a new law or change the Oregon Constitution.

It's that third power that concerns us. Should voters have the right to amend the Oregon Constitution — the highest law in the state — because they don't like the way it stands now? Our answer is no.

A majority of citizens should not be allowed to decide issues affecting everyone's rights through the ballot measure process. There's nothing wrong with ballot measures by themselves — they are a simple method of involving people in the legislative process. But ballot measures that aim to change the state Constitution permanently are dangerously hypocritical because the Constitution is designed to protect all Oregonians from unjust treatment.

**The initiative process simply gives too much power to people who can't handle it.**

What the Oregon initiative law does is protect the citizens' right to mandate — through majority opinion — amendments that affect all of us. We are protected now as it is. We don't need more amendments from citizens interpreting this document on their own terms. That's what judges are for.

It doesn't take a genius to realize we are talking primarily about Ballot Measure 9. But we also have problems with 1990's Ballot Measure 5 and many other voter-proposed amendments. They put the power to amend the state Constitution in the hands of the citizens — people who were never meant to have that power. If the majority of people in the state were Nazis, would we want them to change the Constitution?

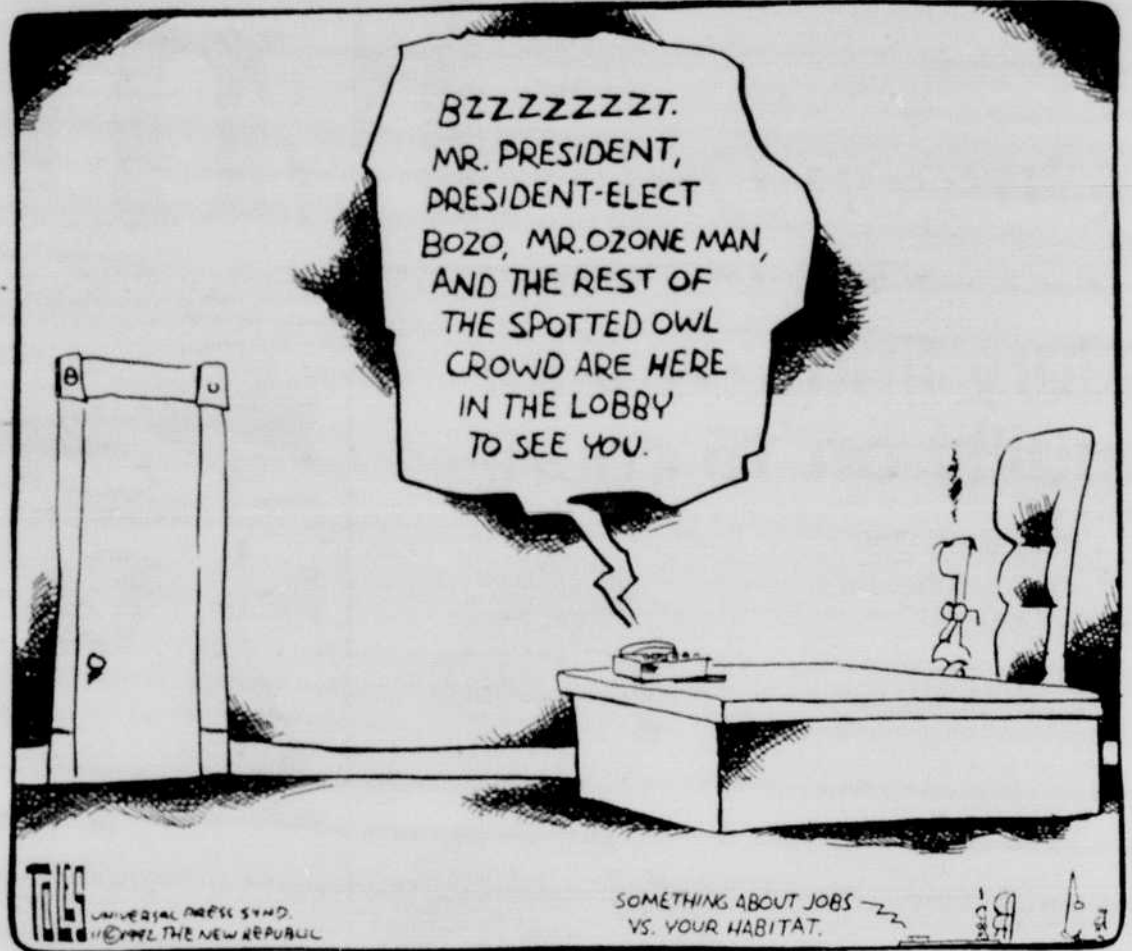
Now we are not in favor of withholding voter rights. Our point is that the initiative process is not a progressive step in the democratic process. It simply gives too much power to people who can't handle it.

In theory, the system should work. It mandates direct legislation by the people, which seems the very definition of democracy. The initiative process should protect the interests of individuals and serve as a check against the power of the Legislature. But it doesn't.

This isn't to say that enacting laws and voting on legislative amendments to the state Constitution (referendums) are wrong also. Those are fine. Laws, such as the triple-trailer ban or the fight to close Trojan, only dictate a single policy and can be altered later.

But the Constitution is much larger than a single law. Courts use the Constitution as a guideline when deciding cases, and all future decisions are based on the Constitution. As the highest law in Oregon, it holds extreme power.

Are we complaining? Yes. Would we feel differently if the proposed amendment were more to our liking? No. The electorate does not deserve that much power.



## LETTERS

### Thank the OCA

Now that Ballot Measure 9 has failed to pass, I would like to say a few words of gratitude to the OCA and its supporters for what I have learned from them.

Thank you for helping me see the complete hypocrisy (and stupidity) of my actions (or lack of) toward homosexuality. Though I may not agree with their lifestyle, I am now more able to accept and enjoy them for who they are.

By providing a contrast between the activities of a fundamental religious group, working toward what they believe is "righteous," and the behavior of a loving and caring homosexual couple I know, whom you'd call "unrighteous" and "perverse," you have shown me that moral and religious issues, beliefs and activities should never be more important than people.

It was wrong for me to use such things to protect myself from what I found difficult to identify with, accept and understand.

Through your efforts you have inadvertently given me the desire to fight for a group of people who simply want to live a life they believe is right for them and who are being attacked by a group of people who want to live a life they believe is right for everyone.

You have my gratitude for all these things. You also have my invitation to join me in getting rid of the trappings of religion and anything else that would be a hindrance to accepting, loving and caring for all people. Perhaps like Jesus did.

Rick W. Donahue-Birran  
Eugene

### It ain't so

No one doubts that University President Myles Brand had and has a "very deep personal opposition" to Ballot Measure 9. I hope, however, that he was misunderstood or misquoted when the *Emerald* printed in the Thursday, Nov. 5 issue that

"along with other University employees, Brand was unable legally to take a stand for or against any candidate or measure until the elections were over."

In the first place, if it was inappropriate to take such a stand before the election, then it is inappropriate after the elections. Son of Nine is just around the corner. An election's always coming up in this democracy of ours.

More importantly, Brand is certainly allowed to take a public position on any issue, as long as he carefully distances himself from his official position. Eugene City Councilors Randy MacDonald and Shawn Boles and councilor-elect Nancy Nathanson work for the University, as does state representative Carl Hosticka and a host of other politically active employees. They have not been so shy as their "leader" to exercise their rights.

Brand, and by implication, Mayors Jeff Miller and Bill Morrisette and County Commissioner Jack Roberts, who stood by silently while this outrageous inaccuracy was put forth, have all done a disservice to the students, the University and our community. We don't need more excuses to abrogate our rights as free Americans, especially here on campus, the very treasure chest of those liberties.

Please correct Thursday's false and dangerous story immediately, President Brand.

Junior Robertson  
Political Science

### Not special

On Nov. 3, Oregon voters said no to intolerance and bigotry and yes to tolerance and diversity by rejecting Ballot Measure 9. The ballot measure had about as much to do with Christianity, traditional family values and morality as night has to do with day.

The measure was solely about hate and prejudice plain and simple. It was without doubt the most reprehensible

ballot measure to appear on a state ballot in the nation.

Now the OCA says they are coming up with a new ballot measure, a "milder version" of Measure 9 for 1994. One must ask when they will learn. Norma Paulus, the State Superintendent of Public Instruction, Margaret Nichols, Superintendent of Eugene 4-J School District, and other top school officials have strongly stated that homosexuality is not being promoted in Oregon schools.

The OCA claimed without cause that homosexuality is being promoted because it was the biggest fear button it could push.

Section 20, Article 1 of the Oregon State Constitution states "No law shall be passed granting to any citizen or class of citizens privileges, or immunities, which, upon the same terms, shall not equally belong to all citizens." "Special rights" for any group is thus already unconstitutional.

I strongly urge voters to reject any modified version of Measure 9 that may come up.

Stefan Stent  
Eugene

### Mad math

An event as significant as the grand opening of a long-needed Undergraduate Mathematics Center is pushed off the *Emerald's* front page by trivial off-campus news. The front page of the *Emerald*, Friday, Nov. 6, had two stories: "Street opening pleases owners," a story about the Eugene downtown mall, and "Delbert's Cafe carves unique niche in Eugene scene," with accompanying photo of belly dancers.

There was no photo of the Math Center accompanying Demian McLean's story on Page 4. One must wonder whose newspaper the *Emerald* is.

Shouldn't the voice of the University student body consider the education of those students more newsworthy than their entertainment?

Ann Applegarth  
Classics

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