

MISSISSIPPI'S FOUR CONSTITUTIONS

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Since its admission to statehood on December 10, 1817, Mississippi has been governed by four constitutions. On the eve of the bicentennial of America's Federal Constitution, there is increasing public support for a new state constitution. Like other southern states, Mississippi has undergone enormous political, social, cultural, racial, and economic changes since the mid-1960s.¹ Most southern state constitutions were simply superseded by those sweeping changes. Ten of the eleven states of the old Confederacy, with Mississippi as the only exception, have modernized their constitutions either by elected conventions or appointed commissions during the last twenty years.²

Mississippi's existing constitution was drafted by a convention and adopted by the legislature in 1890.³ Controversial from the outset, the constitution was condemned by the two rival political factions, subjected to misconstruction by lawyers and judges, and misunderstood by the plain people of Mississippi. Among the most stirring and eloquent indictments of the 1890 document was an editorial in the Jackson *Clarion-Ledger* of February 21, 1891:

Is there any man in this State that understands the new

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¹ See S.A. Patterson, *Mississippi's Four Constitutions: A Study of Political Response to Societal Change* 93-113 (Aug. 1974)(unpublished manuscript available in University of Mississippi Library)(discussing changes in Mississippi).

² Southwick, *State Constitution Revision: Mississippi and the South*, 32 *MISS. LAW.* 21, 21-25 (Nov.-Dec. 1985).

³ See Calhoun, *The Causes and Events that Led to the Constitutional Convention of 1890*, 6 *PUBL. MISS. HIST. SOC'Y* 105, 105-10 (1902)(Calhoun was president of 1890 constitutional convention); see also A. KIRWAN, *REVOLT OF THE REDNECKS, MISSISSIPPI POLITICS: 1876-1925*, 58-84 (1951); Coleman, *The Origin of the Constitution of 1890*, 19 *J. MISS. HIST.* 69, 69-92 (Apr. 1957); Kirwan, *Apportionment in the Mississippi Constitution of 1890*, *J.S. HIST.* 234, 234-46 (May 1948); Marby, *Disfranchisement of the Negro in Mississippi*, 4 *J.C. HIST.* 318, 318-33 (Aug. 1938).

Constitution? *The Clarion-Ledger* will give one hundred gold dollars for the discovery of such an individual.

The Constitution has proven a 'mess' from first to last. Nobody understands it. The plain people do not comprehend it; the lawyers cannot interpret it; the Attorney General does not know how to construe it; the Governor does not understand it; and the Supreme Court judges cannot fathom its mysteries.

It is a reflection on the State that a body of sensible men should have met here, remained in session three months, and adopted a mass of irreconcilable incongruities that nobody can understand. They ought to be required to return, burn up the thing that they have promulgated, begin anew . . . and submit the result of their deliberations to the people for ratification or rejection.

The new-fangled Constitution has made the people real 'tired'. They are disgusted with the whole thing, and would wipe it out of existence if allowed the opportunity. And the opportunity will come.⁴

The Clarion-Ledger's claim that the people "would wipe it out of existence if allowed the opportunity" was, if nothing else, premature. Over the intervening century the people and their leaders have preferred to amend that constitution in lieu of beginning anew. On several occasions the people have declined the opportunity to "burn up the thing." Perhaps they declined those opportunities because they realized that the constitution is the state's fundamental law, and Mississippians are reluctant to change things that are fundamental and binding. As Mr. Jefferson said, "mankind are more disposed to suffer . . . than to right themselves by abolishing the forms to which they are accustomed."⁵

While Mississippians may be reluctant to abolish the constitution to which they are accustomed, they have been willing to amend it so often and to such an extent that today's constitu-

⁴ *The Clarion-Ledger*, Feb. 21, 1891, at 2, col. 2.

⁵ The Declaration of Independence para. 2 (U.S. 1776). Governor Andrew Longino, Edmund Noel, Theodore O. Bilbo, Martin S. Conner, James P. Coleman, as well as William C. Waller, William Winter, and William Allain have advocated either new constitutions or major revisions of the existing document.

tion bears little resemblance to yesterday's. The constitution, as it now exists, has been shorn of the anti-business clauses, the racially discriminatory provisions, and most of the other antiquated stipulations that were a legacy of the late nineteenth century.

Although most of the nugatory and incongruous clauses have been deleted, the constitution of 1890 has not, according to many critics, been modernized. The structure of state government is still basically the same as it was nearly a century ago. To modernize and restructure state government, and thus to maximize Mississippi's financial resources, would require either many more amendments or one amendment so lengthy, elaborate, and intricate that neither the plain people nor the supreme court justices could "fathom its mysteries."⁶

Mississippians are now facing financial, governmental, and educational exigencies that are pressing them toward major constitutional reform. The question seems not to be whether constitutional revision will occur, but rather when and how will those revisions be formulated, by an elected convention or an appointed commission?⁷ As Mississippians edge, some anxiously and others enthusiastically, toward "right[ing] themselves by abolishing the forms to which they are accustomed," it is at least interesting, if not instructive, to review the evolution of Mississippi's four constitutions and the historical process which produced them.

Mississippi's first constitution, which remained in effect until 1832, was drafted primarily by George Poindexter in 1817.⁸

⁶ The Clarion-Ledger, *supra* note 4, at 2, col. 2.

⁷ See W.N. ETHRIDGE, MODERNIZING MISSISSIPPI'S CONSTITUTION 10-25 (1950)(discussion of 1890 constitution); T.E. KYNERD, ADMINISTRATIVE REORGANIZATION OF MISSISSIPPI GOVERNMENT: A STUDY IN POLITICS 34 (1978)(1890 constitution). See generally S.D. Davis, The Need for a New Mississippi Convention (unpublished manuscript)(Davis serves on Governor Allain's Constitutional Commission); A. Frishman, Mississippi's 1890 Constitution: Review of a Bygone Age (July 1983)(unpublished thesis).

⁸ See Howerton, *Mississippi's Constitutional History*, YESTERDAY'S CONSTITUTION TODAY 3, 4 (1960)(discussion of 1817 constitution); see also E.A. MILES, JACKSONIAN DEMOCRACY IN MISSISSIPPI 33-37 (1961)(1817 constitution); M. SWEARINGEN, THE EARLY LIFE OF GEORGE POINDEXTER 140-59 (1934)(Mississippi's 1817 constitution). See generally Drake, *The Framing of Mississippi's First Constitution*, 28 J. MISS. HIST. 301 (Nov. 1967); *The Journal of the Constitutional Convention of 1817*, 29 J. MISS. HIST. 443 (1967)(reproduction of journal of entire convention).

Poindexter, an aristocrat and Federalist (but later a Whig), was one of Mississippi's most successful and influential politicians. Poindexter's constitution established a virtually part-time governmental structure in which the legislature appointed most state officials, including judges. Under Poindexter's constitution, judges were prohibited from serving beyond the age of sixty-five, and the governor, who served a two-year term, was allowed to succeed himself. The chief executive, who was not required to live in the capital, normally went to Jackson only when the legislature was in session. The 1817 constitution made no provision for its amendment except by the action of an elected state convention.

Under the 1817 constitution, stringent property qualifications for most state offices created a small, elite group of landed gentry who conducted governmental affairs. All voters were required to own some form of property or to hold membership in the state militia.⁹ The governor was required to own 600 acres of land or personal property worth \$2000, which might include a building, household goods, or slaves.¹⁰ State senators had to own 300 acres or personal property worth \$1000,¹¹ and representatives had to own 150 acres or personal property worth \$500.¹²

In contrast to the federal Constitution, which declared that "no religious test shall ever be required as a qualification to any office or public trust,"¹³ Mississippi's first constitution stated, "No person who denies the being of a God or a future state of rewards and punishments, shall hold office in the Civil department of this state."¹⁴ Ironically, that same document prohibited ministers, priests, and presumably rabbis from serving as governor, lieutenant governor, or members of the legislature.¹⁵

After the adoption of the 1817 constitution, a draconian criminal code, also drafted by George Poindexter, was established. The Poindexter Code was often called the "Bloody

⁹ MISS. CONST. of 1817 art. III, § 1.

¹⁰ MISS. CONST. of 1817 art. IV, § 3.

¹¹ MISS. CONST. of 1817 art. III, § 14.

¹² MISS. CONST. of 1817 art. III, § 7.

¹³ U.S. CONST. art. VI, cl. 3.

¹⁴ MISS. CONST. of 1817 art. VI, § 6.

¹⁵ MISS. CONST. of 1817 art. VI, § 7.

Code," because it established so many capital crimes. Branding of criminals, public whippings, and the pillory were common forms of punishment meted out to both men and women convicted of petty crimes. Mississippi juries sometimes refused to convict defendants of minor crimes due to the severity of the penalties. The repeal of the Bloody Code was a major goal of constitutional reformers who became increasingly vocal in the decade following the adoption of the state's first constitution.¹⁶

During the 1820's a popular reform movement, known as "The Rise of the Common Man," prompted significant constitutional revision and caused several dramatic changes in America's social and political institutions. Mississippi was at the crest of that movement; its people raised demands for penal and political reform. Additionally, the Choctaw and Chickasaw land cessions, along with Mississippi's burgeoning population, required several technical changes in the state's constitution.¹⁷ Since the 1817 constitution did not include an amendment provision, it could only be revised by a state convention.

In 1831, Mississippi voters by a four-to-one margin favored calling a convention to draft a new constitution. On September 10, 1832, forty-eight delegates met at Jackson to draft a new constitution. The 1832 Mississippi constitution was a model document. Stephen Duncan, a delegate to the convention, wrote to a friend and promised: "We will give you a constitution . . . much more *democratic* than any other in the U.S., not *republican* — but down-right and absolute *democracy*."¹⁸

The 1832 constitution abolished all property qualifications for voting or holding office, increased the number of state offi-

¹⁶ See E.A. MILES, *supra* note 8, at 33-37 (discussion of emphasis on penal reform); Drake, *The Mississippi Constitutional Convention of 1832*, 23 J.S. HIST. 354, 354-70 (1957)(penal reform in Mississippi); H.W. Butler, *Penal Reform in Mississippi: 1799-1839*, 108, 131 (1983)(unpublished manuscript available in the University of Mississippi Library).

¹⁷ For example, the 1817 constitution limited the number of circuit court districts to eight. With the enlarging population, a tremendous burden was placed on the superior court judges, who also comprised the personnel of the supreme court. Therefore, either a separate supreme court needed to be established or the number of circuit courts increased. See Fortune, *The Formative Period, A HISTORY OF MISSISSIPPI* 251, 280-83 (1972)(discussing obsolete provisions of 1817 constitution).

¹⁸ E.A. MILES, *supra* note 8, at 33.

cial, broadened the range of state services, created courts of equity, made virtually all governmental offices elective, discontinued the office of lieutenant governor, and required the governor to live in the capital. The governor continued to serve a two-year term, and the constitution prohibited his serving more than four years in a six-year period. The constitution provided for the abolition of imprisonment for debt, and for the establishment of the right of property for women. In addition, it ameliorated the state's criminal code. The new constitution did not abolish slavery, but it did make slaveowners criminally liable for cruel and harsh punishment of slaves.¹⁹

The constitution of 1832 was eventually superseded by secession, civil war, and Reconstruction. The thirteenth, fourteenth, and fifteenth amendments to the federal Constitution fundamentally altered the legal status of Mississippi's 436,631 blacks and mandated a new state constitution. In Jackson, on January 7, 1868, ninety-seven delegates, including seventeen blacks, drafted a constitution which incorporated the new order created in the aftermath of civil war into the state's fundamental law. Because that convention and other southern state conventions meeting at about the same time were integrated, they are known as the "Black and Tan Conventions."²⁰

As originally drafted in 1868, the constitution severely restricted the rights of Mississippians who had supported secession and had fought for or aided the Confederacy. Because of those proscriptive clauses, the voters disapproved this constitution in the election of 1868. A year later, however, with those unpopular clauses removed, the electorate ratified the constitution.²¹

The 1869 constitution reestablished the office of lieutenant governor and made judicial posts above the county level appoin-

¹⁹ See E.A. MILES, *supra* note 8, at 3-33 (general discussion of provisions of 1832 constitution); Fortune, *supra* note 17, at 280-83 (same); Drake, *supra* note 16, at 354-70 (discussion of constitutional convention of 1832).

²⁰ W.C. HARRIS, *THE DAY OF THE CARPETBAGGER* 132-59 (1979); K.L. Hume, *The Black and Tan Constitutional Conventions of 1807-1868 in Ten Former Confederate States* 325-68 (1969)(unpublished manuscript).

²¹ See J. GARNER, *RECONSTRUCTION IN MISSISSIPPI* 216, 245 (1901)(discussing ratification of 1869 constitution).

tive rather than elective. The governor's term was extended to four years, with no restriction on succession. The constitution also established a state-supported system of public schools. The "Black and Tan Constitution" conferred full citizenship upon Mississippi's black population and guaranteed the protection of their civil rights.²²

A majority of white Mississippians were unwilling to accept the new social and political order established during the decade of Reconstruction.²³ Consequently, the state's white power structure formulated the "Mississippi Plan" in 1875,²⁴ a plan which endorsed the use of fraud and violence to reestablish white supremacy and regain control of state government.²⁵ Among its architects were Senator James Z. George, Ethelbert Barksdale, editor of the *Jackson Clarion*, and L.Q.C. Lamar.²⁶ Lamar told the people that "the safety of Mississippi lies in . . . its wise direction by conservative leaders."²⁷

After the Democratic Party regained control of state government in 1876, it was evident that the white ruling elite would also use fraud and violence against other whites who challenged either their wisdom or their leadership.²⁸ A popular judge complained in 1890 that there had not been "a full vote or a fair count" in Mississippi since 1875.²⁹ Dissatisfaction with those "wise and conservative leaders" and their political tactics steadily increased, especially among the small white farmers in the northeast hills and piney woods.³⁰

The impoverished whites with small farms, known derisively as "rednecks," accused the ruling elite of promoting the interests of business and commerce while neglecting their desperate con-

²² J. GARNER, *supra* note 21, at 211-215; W.C. HARRIS, *supra* note 20, at 132-59; V. WHARTON, *THE NEGRO IN MISSISSIPPI* 59, 103, 146-51 (1965).

²³ See C. Sallis, *The Color Line in Mississippi Politics* (1967)(dissertation available in University of Mississippi Library)(study of Mississippi Plan and reestablishment of white supremacy).

²⁴ *Id.*

²⁵ *Id.*

²⁶ A. KIRWAN, *supra* note 3, at 48.

²⁷ E. MAYES, *LUCIOUS Q.C. LAMAR: HIS LIFE, TIMES AND SPEECHES* 397 (1896).

²⁸ A. KIRWAN, *supra* note 3, at 23.

²⁹ *Id.* at 58.

³⁰ *Id.* at 40.

dition.³¹ The rednecks concluded that the only way they could dislodge the existing power structure was through a new constitution which removed Mississippi's black population from the political process.³²

Although very few blacks actually voted after 1876, the ruling elite played upon that ominous possibility in order to frustrate the rise of parties or factions which challenged their power.³³ The Democratic leadership branded all other parties or rival factions as "Republicans in disguise" and advised all white Mississippians to remain united.³⁴ The "wise and conservative leaders" proclaimed with mathematical certainty that the equation, $w \div w = B$ [whites divided by whites equals black domination], controlled Mississippi politics.

To counter the otherwise unassailable logic of that equation, the rednecks planned to alter the equation itself. They conspired to remove "B" from the equation by "constitutionally disenfranchising" Mississippi blacks through the use of clever and carefully designed suffrage requirements.³⁵ Colonel B.F. Jones offered a swift and simple solution: "The old men of the present generation can't afford to die and leave their children with shotguns on their laps, a lie in their mouths, and perjury on their souls to defeat the negroes. The constitution can be made so this will not be necessary."³⁶ The rednecks also hoped to exploit their numerical superiority by calculating legislative apportionment exclusively on the basis of white population rather than total population.³⁷ By achieving these two goals, the rednecks envisioned the transfer of political power, with all its emoluments and privileges, from the white elite to the redneck majority. The rednecks presumed that only through a new constitution could they achieve those two goals, and therefore their demand for constitutional reform became the most persistent political issue in the late 1880s.

³¹ *Id.* at 43-48.

³² *Id.* at 58-59.

³³ *Id.* at 18-26.

³⁴ *Id.* at 20.

³⁵ *Id.* at 59.

³⁶ V. WHARTON, *supra* note 22, at 207.

³⁷ A. KIRWAN, *supra* note 3, at 78.

Eventually the farmers' demand for a new constitution gained support from other reform groups, including prohibitionists and penal reformers.³⁸ Even some members of the ruling elite conceded that fraud at the ballot box was chronic and seconded the call for a convention to draft a new constitution.³⁹ Judge J.J. Chrisman admitted in 1890: "[I]n plain words we have been stuffing the ballot boxes, committing perjury, and . . . carrying the elections by fraud and violence until the whole machinery for election was about to rot down."⁴⁰

On August 12, 1890, a convention of 134 delegates assembled in Jackson to draft a new constitution.⁴¹ The document eventually produced by that convention was the result of bitter and acrimonious in-fighting between the ruling elite and the red-necks and other reformers who sought to end their control.⁴²

The constitution of 1890 disfranchised Mississippi blacks through a complex set of suffrage requirements which included a literacy test and a poll tax.⁴³ Those requirements also eliminated approximately 50,000 whites who were either illiterate or too poor to pay the poll tax.⁴⁴ The elimination of such a large number of poor whites was by design, not by accident.⁴⁵ By controlling the convention committee structure and skillfully manipulating the drafting process, the "wise and conservative leaders" wrote into the final document a number of provisions that both perpetuated their rule and diluted the voting strength of the poor whites.⁴⁶

First, the ruling elite designed a legislative apportionment scheme that did not attenuate their own power base in the predominantly black counties of the Delta, the counties along the southern stretch of the Mississippi River, and the prairie counties in eastern Mississippi.⁴⁷ Apportionment under the new

³⁸ V. WHARTON, *supra* note 22, at 208.

³⁹ A. KIRWAN, *supra* note 3, at 58.

⁴⁰ *Id.*

⁴¹ *Id.* at 65.

⁴² *Id.* at 66.

⁴³ *Id.*

⁴⁴ *Id.* at 63.

⁴⁵ *Id.* at 71.

⁴⁶ *Id.*

⁴⁷ *Id.* at 78.

constitution was based on the total number of male citizens over twenty-one years of age, rather than upon white population exclusively, as the rednecks had wanted.⁴⁸ The white power structure then vested great authority in the legislative branch of the state government, which they continued to control.⁴⁹

Because the governor was to be elected by popular vote, and thus was likely to represent the redneck majority, the ruling elite established a weak and fragmented executive branch. They also undermined the governor's ability to sustain any continuity of policy by prohibiting gubernatorial succession.⁵⁰ The executive authority was divided among several independently elected officials, who were not required by the constitution to cooperate or communicate with each other in formulating state policies and procedures.⁵¹

Basically, the constitution of 1890 established an imbalance of power between the legislative and executive branches of government.⁵² More importantly, it did not include an adequate checks and balance system, which is fundamental to the working of a democracy. The constitution included no check on the independently-elected executive officials other than the legislature's power over the biennial budgets of the executive branch. Conversely, the governor had virtually no check on the legislative branch.

The constitution of 1890 also included several controversial anti-business provisions that were scheduled to take effect in 1900. Those provisions repealed the tax exemptions and other inducements that were designed to attract new businesses and factories to Mississippi. The repeal provisions were not automatic, however, and they required legislative enactment.⁵³

After the election of Governor James K. Vardaman in 1903, and for nearly three decades thereafter, the legislature passed many laws that dissuaded new industry from locating in Missis-

⁴⁸ *Id.*

⁴⁹ A. KIRWAN, *supra* note 3, at 244-45.

⁵⁰ *Id.* at 245.

⁵¹ *Id.*

⁵² Rogers, *Corporations, YESTERDAY'S CONSTITUTION TODAY* 82, 82-94 (1960).

⁵³ *Id.*

ssippi.⁵⁴ Mississippi's judicial system was also notoriously anti-business and few corporations believed they were able to gain fair and impartial decisions in Mississippi courts.⁵⁵

By the time of the Great Depression, Mississippi acquired such an anti-business reputation that Governor Martin S. Conner concluded that a new constitution was necessary in order to repair the state's national image and to give Mississippi a chance to attract more industry.⁵⁶ Governor Conner's plea for a new constitution went unheeded, however, as the legislature and the people struggled to cope with the more immediate problems of poverty and depression.

Following World War II and the sweeping changes of the early 1950's, the issue of constitutional reform resurfaced during the gubernatorial campaign of 1955.⁵⁷ In 1957, Governor Coleman, who initially raised the issue of constitutional reform during his 1955 campaign, called a special session of the legislature to consider the question of a state constitutional convention.⁵⁸ After a strenuous debate, the legislature declined to call such a convention.⁵⁹ The legislature's primary objection to constitutional revision was that the civil rights movement had already created such unstable and volatile circumstances that Mississippi need not distract itself further by the disputations that would arise from the rewriting of the state's fundamental law.⁶⁰

After the civil rights movement ran its course, and as Mississippians concentrated on economic progress, the 1890 constitution again became the focus of public debate. Various constituencies blamed the old constitution for Mississippi's being in last place in so many economic and educational categories. Some

⁵⁴ W. HOLMES, *THE WHITE CHIEF*, JAMES K. VARDAMAN 146-47 (1970).

⁵⁵ *Id.*

⁵⁶ Address by Governor Martin S. Conner, 1934 MISS. HOUSE J. 24-27 (Jan. 3, 1934).

⁵⁷ See Address by Governor J.P. Coleman, 1957 MISS. HOUSE J., EXTRAORDINARY SESS., 1494-1500 (Sept. 9, 1957)(need for Mississippi to call new constitutional convention).

⁵⁸ *Id.*

⁵⁹ See Letter from Speaker of the House Walter Sillers, 1957 MISS. HOUSE J., EXTRAORDINARY SESS. 1655-60 (1957).

⁶⁰ *Id.* at 1656. Sillers wrote: "The purpose of a constitution is to safeguard its fundamental principles from the rashness of temporary excitement . . . changes in government are to be feared unless the benefit is certain." *Id.*

critics asked why the constitution did not allow the governor to succeed himself. Another popular charge against the 1890 constitution was that it gave the legislature, and particularly the speaker of the house, too much power. Still others asked why the constitution prohibited the state from establishing a lottery.

One constitutional issue of lingering public interest has been gubernatorial succession.⁶¹ In 1972, Governor William Waller strongly supported a constitutional amendment permitting gubernatorial succession.⁶² Every governor since Waller has endorsed, in principle at least, the idea of gubernatorial succession.

In 1975 and 1983, Gil Carmichael, the Republican candidate for governor and lieutenant governor respectively, made the adoption of a new constitution one of the central issues of his campaigns. In 1983, he appointed a bipartisan committee to document the need for constitutional revision and to propose a means for adopting a new state constitution. Although Carmichael lost the election, the Committee recommended that the legislature establish a procedure by which a new constitution could be drafted and adopted by the people of the state.⁶³ The 1984 legislature took no action on the Committee's recommendation.

In the next session, however, the Mississippi Legislature responded to the increasing public support for gubernatorial succession by adopting a constitutional amendment which allows the governor to serve two four-year terms.⁶⁴ The amendment was ratified by the electorate on November 4, 1986.⁶⁵

Probably the most significant step toward major constitutional revision in recent years came on November 8, 1985, when Governor Bill Allain appointed a 350-member commission to draft a new state constitution. The Commission, which is composed of a broad range of citizens and professionals, has now

⁶¹ See Address by Governor William Waller, 1974 Miss. House J. 75 (July 14, 1974)(governor endorsed concept of people deciding whether governor can serve two successive terms).

⁶² *Id.*

⁶³ Recommendation of the Carmichael Constitutional Convention Resolution Committee (Aug. 30, 1983).

⁶⁴ H.R. CON. RES. 5, 1986 Leg. Sess. (Miss. 1986).

⁶⁵ See *supra* note 64 and accompanying text.

completed a working draft of a new state constitution. However, Governor Allain's Constitutional Commission, which was established by executive authority, has no power to act beyond the matter of drafting a document. Although several prominent legislators have served on the Governor's Commission, the legislature has not officially sanctioned the work of the Commission. When the final draft of the constitution is completed, the document will be laid before the legislature which, under the existing constitution, has the authority to implement the amendment process.⁶⁶

As the United States approaches the bicentennial celebration of the federal Constitution in 1987, and as Mississippi approaches the centennial of its own constitution in 1990, public interest in constitutional issues is at a level unparalleled in the state's history. That interest in constitutional reform will likely culminate in the adoption of a new state constitution within less than a decade.

⁶⁶ See Ripley, *The State We're In*, *The Clarion-Ledger*, Dec. 8-15, 1985 (tabloid)(analysis of possible success of Governor Allain's Commission and probable opposition to significant constitutional revision).

