

In Re: Class Council Constitution Implementation

*Associate Justice WARREN*

*Concurring in the Judgment of the Court,*

While agreeing in the judgment of the Court, I have reservations.

I find the actions by the Executive Branch of Student Union in planning, writing, and attempting to implement a new Class Council Constitution without any external approval quite appalling.

The Executive Branch reasoned that since *they* could not find a Class Constitution, then *they* should create a new one as *they* saw fit. Further, the Executive Branch thought that implementation had occurred over the summer, as they had created the Constitution and, "...implemented it." This is a gross oversight of what the Constitution of the Student Union requires.

As Chief Justice Buchbinder stated in her opinion, it is clear that two thirds of the voting population of the constituency is required to pass an amendment to the Class Council Constitution (Article IV, Section 9, C). Further to this, it stands to reason that the implementation of an entirely new Class Council Constitution would require something *more* than two thirds. Given the process of amending the Constitution, it appears that the framers implied for the implementation of a new Constitution, that is, the amendment of the entire current Constitution, to require *at least* three fourths of the voting population of the constituency.

To create a Constitution for a subsection of Student Union without said subsection's approval of the Constitution in the above stated manner displays a clear lack of understanding the doctrine of the separation of powers.