When something is "directory" its usage is only an advisable guide, and can be ignored. But the requirement of an enacting clause is based upon its ancient usage in legislative acts.

> A declaration of the enacting authority in laws is a usage and custom of great antiquity, * * * and a compulsory observance of it is founded in sound reason.[26]

The Supreme Court of Illinois had under consideration an ordinance with no enacting clause. The Court expounded upon why the lack of the clause invalidated the law:

> Upon looking into the constitution, it will be observed that "The style of the laws of this State shall be: '*Be it enacted by the People of the State of Illinois, represented in the General Assembly.*'" (Art. 4 § 11). * * * The forgoing sections of articles 3, 4, and 5, of the Constitution, are the only ones in that instrument proscribing the mode in which the will of the people, acting through the legislative and executive departments of the government, can become law. * * * That these provisions, giving the form and mode by which, * * * valid and binding laws are enacted, are, in the highest sense mandatory, cannot be doubted. * * * Then it follows that this resolution cannot be held to be a law. It is not the will of the people, constitutionally expressed, in the only mode and manner by which that will can acquire the force and validity, under the constitution, of law, for this legislative act is without a title, has no enacting clause, * * * and is sufficient to deprive this expression of the legislative will of the force and effect of law; and the same did not become, therefore, and is not, legally binding and obligatory upon the respondents.[27]

The Court concluded that the constitutional provisions regulating the form and mode of laws, such as the enacting clause and title, are "essential and indispensable parts" of the process of making laws.

The Supreme Court of Arkansas, on several occasions, ruled on the necessity of an enacting clause:

> As long ago as 1871, this court, in Vinsant v. Knox, 27 Ark. 266, held that the constitutional provision that the style of all bills should be, "Be it enacted by the General Assembly of the state of Arkansas," was mandatory, and that a bill without this style was void, although otherwise regularly passed and approved.[28]

In a case in Nevada a law passed the legislature without a proper enacting clause, raising the question of whether the constitutional enacting clause was a requisite to a valid law. The Court said it was because the provision was mandatory:

> [T]he said section of the Constitution is imperative and mandatory, and a law contravening its provisions is null and void. If one or more of the positive provisions of the Constitution may be disregarded as being directory, why not all? And if all, it certainly requires no argument to show what the result would be. The Constitution, which is the paramount law, would soon be looked upon and treated by the legislature as devoid of all moral obligations; without any binding force or effect; a mere "rope of sand," to be held together or pulled to pieces at its will and pleasure. We think the provisions under consideration must be treated as mandatory.
>
> Every person at all familiar with the practice of legislative bodies is aware that one of the most common methods adopted to kill a bill and prevent its becoming a law, is for a member to move to strike out the enacting clause. If such a motion is carried, the bill is lost. Can it be seriously contended that such a bill, with its head cut off, could thereafter by any legislative action become a law? Certainly not.[29]

This case was cited and approved by the Supreme Court of Michigan, which also stated:

26 *Caine v. Robbins,* 131 P.2d 516, 518 61 Nev. 416 (1942).

27 *City of Carlyle v. Nicolay,* 165 N.E. 211, 215, 216 (Ill. 1929); affirmed, *Liberty Nat. Bank of Chicago v. Metrick,* 102 N.E.2d 308, 310, 410 Ill. 429 (1951).

28 *Ferrill v. Keel,* 151 S.W. 269, 273, 105 Ark. 380 (1912).

29 *Nevada v. Rogers,* 10 Nev. 250, 255, 256 (1875); approved in *Caine v. Robbins,* 131 P.2d 516, 518, 61 Nev. 416 (1942).