



1965 Connecticut State Constitution

I. History

In 1959, the Connecticut General Assembly officially designated Connecticut “The Constitution State”--a reference to the former colony’s 1639 document, the “Fundamental Orders,” which some consider to be the first written constitution in Western Civilization.

After the American Revolution the Fundamental Orders remained the state’s basic governing document until Connecticut’s first Constitutional Convention was convened in 1818.¹

The most recent Constitutional Convention in Connecticut was convened in 1965. The document from that convention was ratified by the voters shortly afterwards and has been Connecticut’s basic governing document ever since.

II. Summary

In the 1964 case *Butterworth v. Dempsey*, the US Supreme Court ruled that Connecticut’s “borough system”, which had been hardened by the 1818 Constitution, violated the principle of “one-man-one-vote”. The State was ordered to make the necessary constitutional changes, and, after much resistance and haggling in the Connecticut General Assembly, a convention was finally convened in 1965 to focus on its mandate: reapportionment. ¹

Convention delegates proposed 271 resolutions during the convention; 23 proposed procedures for conducting the convention while the other 248 proposed changes to the underlying state constitution of 1818.²

III. Key Features

Aside from reapportionment, the 1965 constitution also officially extended freedom of religion to non-christians and shortened the “Supreme Court of Errors” to simply the “Supreme Court”. A broader equal protection clause was added; the governor was given revised veto powers; a section on free public education was added; and Article 13, a provision establishing the process for future constitutional conventions, was added.”¹

¹ Reilly, Megan. "Connecticut Constitutional Conventions." 6 May 2008. Connecticut General Assembly. 14 July 2009 <<http://www.cga.ct.gov/2008/rpt/2008-R-0296.htm>>.

² Norman-Eady, Sandra. “1965 Constitutional Convention”. 16 October 2008. Connecticut General Assembly. 14 July 2009. <http://www.cga.ct.gov/2008/rpt/2008-R-0456.htm>

IV. Popularity

In compliance with Article 13 of the 1965 Constitution, Connecticut voters are asked every 20 years to vote on the question: "Shall there be a Constitutional Convention to amend or revise the Constitution of the State?"

Since ratification, Connecticut voters have had two opportunities to revise the Constitution via a Convention. The first referendum, in 1986, was defeated, as was the most recent vote in 2008 with 59% voting in favor of retaining the Constitution from the 1965 Convention.

Wesley Horton, a specialist in constitutional law and author of a book on the Connecticut Constitution, rejected the 2008 call for a Con Con saying, "the purpose of a constitution...is to set forth the general framework and those fundamental principles for how a government should be run."³ For example, the 1965 Convention was called only after the reapportionment scheme outlined by the 1818 Constitution was ruled unconstitutional by the US Supreme court, effectively establishing an expiration date to the legitimacy of the sitting Connecticut General Assembly. In contrast, according to Horton, there was "no similar circumstance in Connecticut in 2008."

During the 2008 state-mandated Con Con campaign, the "Vote No: Protect our Constitution" coalition was composed primarily from labor, civil rights, and civil liberties organizations.

V. Criticisms

Although the intensity of the 2008 Con Con campaign surprised many local political observers, fundamental grievances over the Constitution produced by the 1965 Convention is rare. As mentioned above, recent criticisms of the 1965 Constitution that are tied to the campaign for a new convention have been characterized by interest-group-driven concern over pet issues.

During the 2008 Con Con campaign the "yes" faction coalesced around establishing a California-style ballot initiative and referendum system so people could circumvent the state's General Assembly. Matthew M. Daly, campaign chairman for the "yes" coalition, said the idea started out as "a small grass-roots campaign" that was "issue neutral...we are about direct democracy."⁴ When describing the sentiments of the supporters of the "yes" campaign, Susan Kniep, president of the Federation of Connecticut Taxpayers, remarked "People feel disenfranchised". The 2008 "Yes" campaign lost 41-59%.

³ Stuart, Christine. "Debate on a Constitutional Convention Heats Up." 18 Sep. 2008. Love Makes a Family. 14 July 2009 <http://www.lmfct.org/site/News2?page=NewsArticle&id=6933&news_iv_ctrl=1282>.

⁴ Keating, Christopher. "Constitutional Convention Heats Up." 17 Oct. 2008. 14 July 2009 <http://blogs.courant.com/capitol_watch/2008/10/constitutional-convention-ques.html>.

