

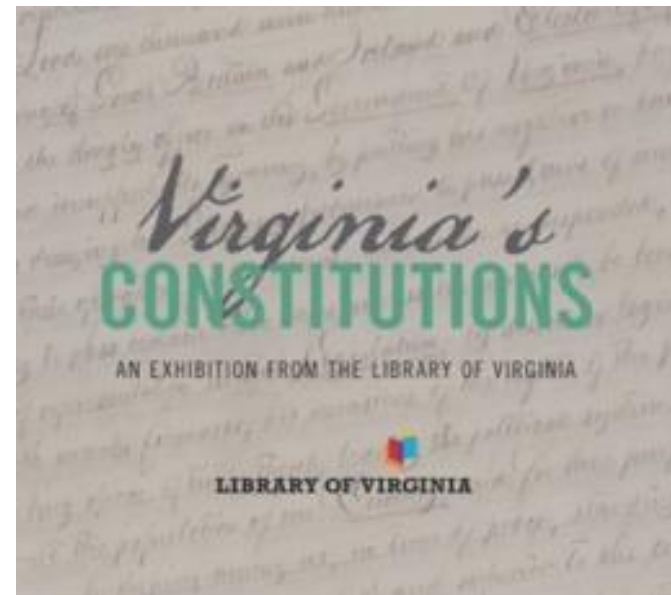
The Constitution of 1971

Governor Mills Godwin appointed a commission on constitutional revision to suggest changes that the General Assembly could consider before it submitted to the voters an amended new constitution. Voters ratified the new constitution by a vote of 576,776 to 226,219 on November 3, 1970, and it went into effect on July 1, 1971. It omitted the poll tax and all the other barriers to voting and the requirement for racial segregation in public schools. It also prohibited governmental discrimination based on “religious conviction, race, color, sex, or national origin” and in effect granted to every school-age person in the state a right to a high quality education in a public school. The new constitution also conformed to the “one person, one vote” requirements that federal courts imposed on the states in the 1960s and for the first time required that all electoral districts in the state contain approximately equal populations. A very important change that the constitution contained was to remove some of the barriers to issuing bonds that had prevented state and local governments from borrowing enough money to meet new demands of the state’s citizens. The new constitution also included an important new article on conservation that committed the state.



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Constitution of 1776

Adopted unanimously on June 29, 1776, by the Convention of 1776, Virginia's first constitution continued the colonial practice of allotting each county two members in the House of Delegates, and it created the new twenty-four-member Senate of Virginia. It authorized the General Assembly to elect the governor annually as well as judges of courts. It deliberately made the executive weak and dependent on the assembly and prohibited the governor from acting without the advice of a twelve-member Council of State that the assembly also elected. Suffrage, or the right to vote, was limited to adult white men who owned property. The Act for Establishing Religious Freedom, enacted in January 1786, and the Declaration of Rights were separate documents from the Constitution or Form of Government, but both had constitutional status. The convention ordained the constitution in effect without a ratification referendum.

The Constitution of 1851

The voters ratified a new constitution by an overwhelming vote of 75,748 to 11,863 on October 23, 1851. The Constitution of 1851 made several important sharp breaks with the past. It allowed universal, white manhood suffrage for the first time and also for the first time permitted voters to elect most public officials, including the governor, lieutenant governor (a new office), and attorney general for four-year terms, all the state's circuit and appellate court judges, and justices of the county courts as well as several other local officials. The new constitution reduced the frequency of legislative sessions from annual to biennial and limited the duration of sessions, as well. The Constitution of 1851 established a system of circuit and appellate courts that imposed a larger measure of uniformity in the state.

The Constitution of 1869

An act of Congress required states of the former Confederacy to write new constitutions before it would admit their senators and representatives to their seats in Congress. The delegates to the Convention of 1867–1868 were the most diverse by occupation, background, class, and race of any Virginia convention before or since.

Twenty-four African American men won election to the convention in the first election in Virginia's history in which Black men voted. Voters ratified the new constitution on July 6, 1869, by an overwhelming vote of 210,585 to 9,136 and stripped out of it two clauses that disfranchised supporters of the former Confederacy and barred them from public office.

The new constitution enfranchised African American men. It required the General Assembly to create a statewide system of free public schools for all children. It guaranteed voting by ballot. In the first article on local government in any Virginia constitution it created the board of supervisors form of county government and authorized the popular election of a larger number of local officials than at any previous time. It inserted the Declaration of Rights (renamed Bill of Rights) into the constitution for the first time as Article I. It proclaimed the Constitution of the United States the supreme law of the land. One section declared "That all citizens of the State are hereby declared to possess equal civil and political rights and public privileges." The Constitution of 1869 was also the first to provide a method of amendment.

The Constitution of 1902

The Convention of 1901–1902 adopted a new constitution without a referendum in May 1902, and the Constitution of 1902 went into effect on July 10, 1902. The constitution disfranchised African American voters by imposing a poll tax and complicated registration regulations that allowed registrars to deny registration to just about any man they did not want to vote. The article on education explicitly forbade the education of "white" and "colored" students in the same schools. The new constitution included a new article on municipal government (the first) that implicitly recognized the state's unique system of independent cities. It also created a fourth branch of state government, the State Corporation Commission, which was one of the most innovative and effective state regulatory agencies in the United States.