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FOREWORD

Among the many treasures of nineteenth century American art that grace the galleries of Hartford's Wadsworth Atheneum is one entitled "Hooker and Company Journeying Through the Wilderness from Plymouth to Hartford in 1636" by the distinguished artist Frederick Edwin Church. Faithful to its school, the painting's central theme and focus are the beauties of nature. The human figures are incidental to the theme and there is no pretense to any precise historical accuracy in the depiction. Yet there is inevitably a significance to the fact that the journey of Hooker's band was selected from among countless competitors as the subject of this paean to nature and nature's God. Church recognized it as important, and recognized as well that his viewers would immediately understand that importance.

Church lived at a time when the value of Connecticut's contributions to the development of American governance were both appreciated and inculcated in Connecticut's young. Hooker's notions, expressed in his May 31, 1638 sermon --that "the foundation of authority is laid firstly in the free consent of people" and that "they who have power to appoint officers and magistrates it is in their power also to set the bounds and limits of the power and places unto which they may call them" -- may have found earlier voice in scattered tracts of dissident elements in the Mother Country. But their incorporation into a document, the Fundamental Orders of 1639, designed to order the affairs of civil government was unique in history. While purists may quibble over whether the Orders was truly a "constitution" as we have come to know that term and while the franchise initially was anything but broad as we know it today, the juxtaposition of these revolutionary notions' being placed into practice while at home Charles I was asserting the fullest extent of his "divine right" as king and dismissing Parliament is nothing less than extraordinary.

The gradual evolution of both democratic impulses and the imperatives of a republican form of government were reflected in the Code of 1650 and the Charter of 1662, culminating (42 years after American independence was declared) in the Constitution of 1818. Expanding notions of who

should have a voice in society's governance, which vehicles were most effective in giving expression to those voices, what rights against the State each individual retained as personal and inviolate and how society could be structured to ensure that inviolability, what people had a right to expect government to provide to and for the quiet enjoyment of their lives --- these and an endless and ever-changing host of other details were reflected in the history of this state marked by the constitutional milestones of 1639, 1650, 1662 and 1818.

And in this development Connecticut --- at least in its first 150 years --- often became, through no design or intent of its inhabitants, a laboratory of governance. Here many of the institutions and ideas that later found their way into the federal system and other states' constitutions were first applied in practice. The most frequently cited example is the bicameral Congress that resulted from the Constitutional Convention's "Connecticut Compromise" --- a resolution of a theretofore intractable controversy crafted by Connecticut's three delegates drawing upon their experience with a bicameral Connecticut legislature.

It is important to a comprehension of American government and an appreciation of how far we have come and the road that remains to be traveled that Connecticut's young men and women --- its future citizens --- understand the antecedents of today's institutions. When they read of the controversies surrounding decennial legislative and congressional reapportionment, they can then place the notion of representative democracy into the historical context that began with the Fundamental Orders of 1639. When they read of the ongoing debates that roil society on the death penalty and the length of prison sentences for various crimes, they can hark back to the Code of 1650 with its list of punishments and trace their evolution (or lack of it) down through the centuries.

When they hear the castigation of "lobbyists" at the General Assembly, they can recall the persuasive arguments (and perhaps more) of our own lobbyist, John Winthrop, Jr., sent to England to persuade King Charles 11 to grant what became the Charter of 1662, and then trace the evolving right to petition for

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the redress of grievances. When they hear of controversies over religious symbols on public property or the constitutionality of laws, they can be reminded of the debates that led to the Constitution of 1818, with its disestablishment of Congregationalism and its creation of an independent judicial branch.

And as sea changes take place every few decades in the way federal courts interpret individual rights under the United States Constitution, our young people who have learned the unique history of government in Connecticut since 1639, and have seen its evolution, can more fully appreciate the place of the Connecticut Constitution as an independent source of rights and protection against government and for their claims upon the benefits of government.

This book is a product of many years' diligent efforts by a dedicated group of educators to bring together into a coherent and comprehensible curriculum the important story of governance in Connecticut. There is every reason to hope and believe that it will serve for many years to come as an invaluable educational resource in the teaching of Connecticut history. The United States Constitution Bicentennial Commission of Connecticut, which I chair, is proud to have played a part in its creation.

Ralph Gregory
Elliot July, 1991

INTRODUCTION

Connecticut enjoys a history rich in cultural diversity, economic prosperity, and political enlightenment. Established in 1639, the Fundamental Orders was one of the earliest written constitutions in history. Thus Connecticut was the first colony in America to move toward self-government by elected representatives under a Constitution - a major step forward in constitutional history.

Connecticut has a proud democratic tradition that should be shared with our young citizens. What follows in these volumes is a curriculum of Connecticut history which evaluates authority, explores the common good, defines liberty and justice, and inspires active citizenship. These are all essential prerequisites to the continuation of our basic American ideals and values.

Government is an abstract and often difficult concept for students to understand and to apply to contemporary experiences. Constitutions may appear to be remote and lifeless documents, complex and impractical. If our students are to appreciate the significance of our democratic heritage, they must be empowered with concrete examples of how and why public perceptions of order, truth and the common good changed, and how Connecticut citizens responded by significantly altering their form of government between 1639 and 1989 in an effort to address the demands and concerns of the times.

FORMAT

There are five units in this Guide, one for each of Connecticut's four Constitutions plus an introductory section. Four themes, which are both sequential and interrelated, are developed throughout the units. Each chapter contains two sections: the TEACHER'S BACKGROUND section contains the following for each unit:

- I. A Timeline of the historical era.
11. Basic Principles and Practices under the Constitution of that era.
- III. Main Issues and Problems dealt with by the Constitution of that era.
- IV. We the People: who had the right to vote in that era.

- V. Movers, Shakers and Colorful Characters: short biographies of important figures.

In addition, each unit is supported by primary resource material and a bibliography.

The CONNECTICUT CONSTITUTION JOURNAL OF STUDENT ACTIVITIES consists of student readings, worksheets and creative writing exercises which vary in content and strategy to reflect the events of each of the four historical eras. They also are designed to reinforce the themes, which are the connecting links to each unit.

THEMES

Four themes are the core of this study of Connecticut constitutional history:

I. AUTHORITY

How to define it? Why is it needed? Who should be given authority? Why do we need laws? Difference between authority and power. When is a law a "good" law?

II. REPRESENTATIVE GOVERNMENT

Whom should government represent? How can people influence decisions that control their life, liberty and property? How can leaders be held accountable for their actions?

III. COMMON GOOD

Individual freedom v. collective needs. Who defines it? What civic virtues are necessary for a free society? How can the common good be balanced with individual freedom?

IV. CONSTITUTIONALISM

What is a constitution and why is it necessary? How should authority be organized? How can authority be limited? How and when should constitutions be amended or replaced?

These themes are intended to be introduced sequentially, and you will find that each one builds on the other. Objectives for each of these themes are included for each activity.

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INTRODUCTORY ACTIVITY: THE ISLAND CONSTITUTION GAME

One important piece of information, yielded by an extensive field test of this book in 1989, was that few students at the elementary level (grades 4-6) had sufficient background in the basic principles of government to discuss the evolution of Connecticut's Constitutions. A second issue that emerged was the necessity of presenting history to students as an active, participatory experience, rather than as mere regurgitation of factual information.

To address these issues, we suggest beginning your study of Connecticut's government with the Island Constitution Game, a short story which removes the class from a modern-day society to an unknown time and place. Students are confronted with problems similar to those of Connecticut's founders, and are invited to use their creative and collective talents to survive by forming a functioning government. They work in groups to form and ratify their own Island Constitution at a mock constitutional convention. This participatory process allows the students to better understand the need for government, constitutions and law and to place the ensuing events into a philosophical context. Core activities in the units following this introductory activity will build upon this understanding of governmental philosophy through use of original documents, the analysis of laws, and participation in role plays. In addition, pertinent vocabulary and review ideas are included for each unit.

Upon the conclusion of the units, the students should not only have a practical understanding of the democratic principles, practices, and organizations fostered by our Connecticut ancestors and contemporaries, but also develop an appreciation for the evolving ideals upon which our democracy is maintained - the most fundamental of all educational goals.

Denise Wright Merrill,
Editor

