

The Constitution of the Commonwealth of Massachusetts

- Unique document
- Heritage of MA Govt
 - From start = unusual phenomenon
 - King Charles I granted royal charter
 - Charter of 1629
 - “General Court”
 - Governor, Deputy Gov, & Court of Assistants
 - One unique element
 - Possessed right to govern *own affairs*
 - “the Trimountaine shall be called Boston.”
 - Suffrage = limited
 - Freemen
 - Indentured servants
 - Creation of representative Government

- Body of Liberties
 - Basic provisions
 - Bicameral legislature
 - Separation of executive & legislative powers
- Charter annulled in 1684
- Province Charter (1691)
 - General Court
 - Royal officers
 - Last session = June 1774
 - FYI: Plymouth merged 1691
 - New Plymouth
 - Mayflower Compact
 - No charter until 1629
- Our current govt
 - General Court requested “people” authorize Constitution

- Specially elected Convention?
- General Court rejected advice of towns
- Rejected by people 5 to 1
- Gen Court requested convention
- People approved 2 to 1

— Convention = Sept 1, 1779

- “Grand Committee”
- John Adams, Samuel Adams, & James Bowdoin

— Convened 3 more times

— MA = 1st state to:

- Establish govt
- Submit to people
- Separation of powers
- FYI: MORE POWERFUL than US Constitution.

- Design of Constitution

— Three subjects = important

— Our rights concerning gov't

- *“Sole & exclusive right of governing”*
- *“At all times accountable”*
- *“Government is instituted for Common good”*
- *“We have a right, in an orderly and peaceable manner, to assemble to consult upon the common good”*
- We *“are not controllable by any other laws than those to which (our) Constitutional representative body have given their consent”*

— Duties

- *to worship the SUPREME BEING*
- to contribute share of expense
- *“to give personal service”*
- should think frequently
- observe principles
- *“return to private life”* bad officials/ reps

- be “active & conscientious” citizens
- Voting
- Maintain separation of powers

— Frame of Gov’t

- Three departments
- General Court = 2 chambers
 - 4 basic powers
- Executive power
 - 2 officers
 - Executive Council
 - Legislative Appointments
 - Executive Appointments
- Judicial power
- Can’t hold multiple positions

- Basic design is still same
 - Constitution has changed
 - Amendments
 - Ex. Article 48
 - Amending Process
 - Legislative amendment
 - Initiative amendment
 - Constitutional convention
- Constitution closed w/ requirement
- Laws = Government of laws, not of men
 - US Con = highest law
 - Five areas of state law
 - Constitution of Commonwealth
 - Statutes
 - Code of laws = “General Laws” - M.G.L.

— “Continuing” & “in general”

— “Special Acts”

- City & Town Charters
- By-Laws & Ordinances
- Rules & Regulations