

The 1971 constitution

BY DAVID WALBERT

In the hundred years after the ratification of North Carolina's 1868 constitution¹, the state's voters ratified 69 amendments — including 42 between 1933 and 1968. Even with so many changes, the constitution had still become outdated in many ways. Some of the amendments had also left outdated provisions in place, so that the document was confusing and contradictory.

In 1967, Governor Dan K. Moore recommended that the North Carolina State Bar — the state agency that regulates the practice of law — take the lead in revising the state constitution. A study commission found that too many changes were needed to be passed as amendments. Instead, the commission rewrote the existing constitution, making mainly small changes to clean up and clarify the text. In addition, they proposed ten major amendments. The General Assembly approved the new draft constitution in 1969, along with six of the amendments, and put them to a statewide vote. In the election of November 1970, the people of North Carolina approved the new constitution by a vote of 393,759 to 251,132, along with five of the six amendments. The new constitution took effect in 1971.

The amendments approved by the General Assembly and ratified by the people reorganized the executive branch, banned poll taxes, provided for new kinds of local taxes and borrowing by city and county governments, and simplified the state income tax. The General Assembly also approved an amendment that would have repealed the literacy test for voting², but that amendment was defeated in the statewide election — even though, after the Civil Rights Act of 1965³, it could no longer be enforced.

Further amendments

Since 1971, the constitution has been amended several times. A few of these amendments stand out. In 1972, the minimum age for voting was changed from 21 to 18 years. In 1977, the constitution was amended to permit governors and lieutenant governors to be re-elected to consecutive terms. And in 1996, the governor was given the power to veto legislation passed by the General Assembly — a power that the governors of every other state already had.

On the web

The North Carolina State Constitution

<http://www.ncga.state.nc.us/legislation/constitution/nconstitution.html>

Provided by the North Carolina General Assembly.

African American Voting Rights and the North Carolina Constitution

<http://www.sog.unc.edu/programs/civiced/resources/docs/AARightsNCConstitution8.pdf>

In this lesson from the Civic Education Consortium, students will examine changes in African American voting rights throughout North Carolina's history. This lesson begins by reviewing key vocabulary. Students then independently research the history of African American voting rights in North Carolina using a primary source web quest or jig saw activity. Additional activities include administering a sample voting literacy test and having students create historical suffrage posters.

Exploring the relevance of North Carolina's State Constitution

<http://www.sog.unc.edu/programs/civiced/resources/docs/ExploringRelevanceofNCStateConst8.pdf>

In this lesson from the North Carolina Civic Education Consortium, students will learn how the North Carolina Constitution is relevant in today's world. They will view and take guided notes from a Power Point that explains the changes made to the state Constitution since its ratification in 1776, helping students understand that the state Constitution is a "living document" and that it can be updated to reflect the times while keeping its core principals the same. Students will then complete a "Comparing Constitutions Scavenger Hunt" where they will examine the NC and US Constitutions and compare the differences and similarities.

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Notes

1. See <http://www.learnnc.org/lp/pages/5164>.
2. See <http://www.learnnc.org/lp/pages/4365>.
3. See <http://www.learnnc.org/lp/pages/6090>.

About the author

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David Walbert is Editorial and Web Director for LEARN NC in the University of North Carolina at Chapel Hill School of Education. He is responsible for all of LEARN NC's educational publications, oversees development of various web applications including LEARN NC's website and content management systems, and is the organization's primary web, information, and visual designer. He has worked with LEARN NC since August 1997.

David holds a Ph.D. in History from the University of North Carolina at Chapel Hill. He is the author of *Garden Spot: Lancaster County, the Old Order Amish, and the Selling of Rural America*, published in

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