

House Resolution 118 - Introduced

HOUSE RESOLUTION NO. 118

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1 A Resolution designating the week of September
2 24 through 29, 2018, as the sesquicentennial
3 celebration of the Iowa Supreme Court's decision in
4 *Clark v. Board of Directors*.

5 WHEREAS, the 1868 Iowa Supreme Court decision in
6 *Clark v. Board of Directors (of Muscatine Schools)*,
7 holding racial segregation of the public schools
8 unconstitutional, is one of the most important court
9 decisions in the history of American jurisprudence, and
10 was hailed by Chief Justice Mark Cady in his 2018 State
11 of the Judiciary Address as "a defining moment for Iowa
12 and the nation"; and

13 WHEREAS, the Iowa Supreme Court, relying upon the
14 constitutional "principle of equal rights to all, upon
15 which our government is founded," was the first and one
16 of only four state courts in the nineteenth century to
17 strike down school segregation under state law; and

18 WHEREAS, the Iowa Supreme Court rejected
19 government-imposed segregation in public education 86
20 years before the United States Supreme Court did in
21 *Brown v. Board of Education* in 1954; and

22 WHEREAS, the *Clark v. Board of Directors* decision
23 continues to have great vitality and relevance today,
24 not only in its rejection of segregation and racism,
25 but also as the precedent that demonstrated that
26 the Iowa Constitution provides great protection for
27 individual rights independent of the United States
28 Constitution; and

1 WHEREAS, both law schools in the state have close
2 ties to the *Clark v. Board of Directors* decision,
3 as Justice Chester Cole, the author of the Court's
4 opinion, was the co-founder and long-time dean and
5 faculty member of the Drake Law School, and Alexander
6 Clark, Jr. and Alexander Clark, Sr., the brother
7 and father of plaintiff Susan Clark, were the first
8 African-American graduates of the University of Iowa
9 College of Law; and

10 WHEREAS, in collaboration with the Iowa Supreme
11 Court, Drake University and its law school, and
12 the University of Iowa College of Law, will host
13 a series of celebratory programs and events the
14 week of September 24 through 29 to commemorate the
15 historic *Clark v. Board of Directors* decision and the
16 extraordinary civil rights leadership of Justice Cole
17 and Alexander Clark, Sr.; NOW THEREFORE,

18 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That
19 the House of Representatives designates the week of
20 September 24 through 29, 2018, as the sesquicentennial
21 celebration of the Iowa Supreme Court's decision in
22 *Clark v. Board of Directors*.