

Introduction

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THE CENTER for the Study of the Recent History of the United States commemorated the bicentennial of the American Constitution with a conference held in Iowa City in April 1988. The conference sought to concentrate on a variety of legal and constitutional issues that have aroused heated controversies in Iowa as well as elsewhere in the United States. Although the heat in some of these controversies has simmered or cooled considerably, others continue to ignite lively arguments, even provoking occasionally violent demonstrations. In January 1989, as I write these lines, anti-abortion demonstrators are picketing on the Oakdale Campus of the University of Iowa, protesting the use of public funds and facilities at the university's hospitals and clinics for performing abortions, which are presently legal and constitutional according to the judgment of the United States Supreme Court.

During the months following American entry into the First World War, persons of German descent residing in many American communities were often the objects of ridicule, ostracism, and violent attacks. German-Americans were denied civil rights, employment rights, and constitutional prerogatives. Pressures for conformity often required them to perform shameful acts that their tormenters believed would reaffirm some diminished allegiance to patriotic values. We who profess a strong commitment to the Constitution of the United States must recall these sad events of 1917-18 and realize that the American Way of Life has included these episodes, which today should cause us to shudder from embarrassment whenever we are tempted to be smug and boast of our superior personal liberties and freedoms. Nancy Derr, a historian living in Chevy

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Chase, Maryland, describes the experience of German-Americans living in a tiny community in southeast Iowa, Lowden in Cedar County. Germans in Lowden were not a minority; they outnumbered other ethnic groups. Their experience may not be typical, but it provides lessons that ought to be remembered by Iowans whenever we are tempted to say about the denial of civil rights elsewhere, "It can't happen here."

Professor Patrick Bauer of the University of Iowa College of Law has addressed the topic of agricultural farm foreclosures that figured so prominently and traumatically in the legal and economic experience of Iowans during the decade of the 1980s. His essay focuses on the experience of Iowans with foreclosures during the years of the Great Depression during the 1930s. The essay helps us to appreciate the meaning of foreclosure for farm families within the context of the important legal issues involved.

Professor James C. Mohr, a historian at the University of Maryland, Baltimore County, had earlier written a history of the national concern with abortion in the United States as this evolved during the nineteenth century. The Center invited him to canvass the literature and sources concerning the abortion controversy in Iowa, especially as the matter reached nearly fever pitch in the 1960s and 1970s. Here then is his synopsis and prognosis.

In Iowa, maybe more than most states, there has been a persistent controversy raging between advocates of private, sometimes parochial, education who maintain that their schools ought to be exempt from regulatory standards imposed by the state ordinarily for public institutions. Advocates of public education and state regulation have often insisted that the state exercise an obligation to ensure that young people, whether enrolled in public or private schools, be provided with state-certified teachers, a curriculum that meets state qualifications, and facilities that exceed minimal standards set forth by the state. These battles to decide control over schools have been fought by families, churches, state government, local government groups, and others. Often, questions of constitutionality have arisen. Merle Wilna Fleming, as Assistant Attorney General for the State of Iowa, has prepared briefs for litigations in

several school cases, and she has here set forth her observations on this contentious subject.

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