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Four who believed in the Illinois Constitution

In February, The John Marshall Law School announced that I would hold the Edward T. and Noble W. Lee Chair in Constitutional Law for the academic year 2013-2014.

This is a great honor because Edward T. and Noble W. Lee were champions of constitutional law. In an era when law students studied only the U.S. Constitution and precious few scholars devoted time to state constitutions, the Lees used their positions as dean of The John Marshall Law School to champion the study of the Illinois Constitution.

When Edward T. Lee was dean, from 1910 to 1943, he recognized the importance of the Illinois Constitution. He allowed his son, Noble, to teach what may have been the only course on the Illinois Constitution in any Illinois law school. When Noble W. Lee was dean, from 1944 to 1974, he required each student to pass a course on the Illinois Constitution — a course he usually taught himself.

During his deanship, John Marshall graduates were practically the only lawyers in Illinois skilled in interpreting and litigating the Illinois Constitution.

Today I pay tribute to Noble W. Lee and three other lawyers who were among the few members of the bar who appreciated the importance of the Illinois Constitution. Sadly, they cannot read this column, but their influence on Illinois constitutional law and practice has been incalculable.

The four are Noble Wishard Lee (1896-1978), Samuel Weiler Witwer (1908-1998), Rubin Goodman Cohn (1911-1986) and Dawn Clark Netsch (1926-2013).

Lee's interest in the Illinois

Constitution arose from his years as a practitioner in Chicago.

During the Great Depression, he became aware of the deficiencies of the 1870 Illinois Constitution. He acquired practical experience with the constitution as a member of the Illinois House of Representatives from 1941 to 1969. Other legislators often referred their Illinois constitutional questions to him.

Perhaps Dean Lee's greatest contribution was his influence on his students. Because every graduate had to study the Illinois Constitution, it is not surprising that several graduates of John Marshall were members of the sixth Illinois Constitutional Convention in 1969-1970. During my only conversation with Dean Lee about the Illinois Constitution, I was amazed that he could rattle off the names of cases and statutes from years past.

Witwer became interested in

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BY ANN M. LOUSIN



Ann M. Lousin has been a professor at The John Marshall Law School since 1975. Before then, she

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the Illinois Constitution as a practitioner in Chicago. In 1947, he was the first chair of the Committee on Constitutional Revision of The Chicago Bar Association. This distinguished group spearheaded attempts to amend the 1870 Illinois Constitution.

In the 1960s, Witwer helped lead the campaign to call a constitutional convention in 1968. When the sixth Illinois Constitutional Convention met in 1969, he was the obvious choice to be the president. As president, his goal was to draft a modern state constitution acceptable to the people of Illinois. His dream came true in 1970.

Cohn drafted bills for the General Assembly and practiced law in Chicago before becoming a professor at the University of Illinois College of Law. Those experiences, along with his longtime service as counsel for the Illinois Pension Laws Commission and a member of The National Conference of Commissioners on Uniform State Laws, made him an expert on the Illinois Constitution, Illinois government and its statutes.

He co-authored the text on the 1870 Illinois Constitution that the members of the 1969-1970 constitutional convention called their bible. He served as counsel to the Committee on the Judiciary at the convention and was the convention's go-to expert on everything regarding the Illinois Constitution.

Netsch began her political career as a volunteer for Adlai Stevenson's 1948 gubernatorial campaign. Her devotion to Illinois government led her to serve as Gov. Otto Kerner's legislative counsel — and informal deputy governor — in the early 1960. She was active in Illinois legislative and constitutional reform efforts while a professor at Northwestern University School of Law.

She played a leading role at the 1969-1970 constitutional convention, where she stood out as one of the best-informed delegates. After that, she was elected to the Illinois Senate.

After 18 years as a senator, she was elected Illinois comptroller. In 1994, as the first woman to be a major party's candidate for governor of Illinois, she continued to demonstrate her passionate commitment to the people of Illinois. She continued her battle to provide Illinoisans with the best government possible right up to the end. On March 5, 2013, her “warfare” was accomplished.

These are four Illinois lawyers upon whose shoulders anyone who seeks to improve Illinois law, Illinois government and the Illinois Constitution must stand. On behalf of all Illinoisans, I say to Noble, Sam, Rube and Dawn:

Thank you for your devotion to Illinois and your efforts to make Illinois a better place to live.