

CITY OF BOSTON
IN CITY COUNCIL

COUNCILLOR LOUISE DAY HICKS

DECEMBER 15, 1975

WHEREAS, Federal Judge W. Arthur Garrity, Jr., placed South Boston High School under receivership on Tuesday, December 9, 1975; and

WHEREAS, By placing South Boston High School under receivership, Federal Judge W. Arthur Garrity has unconstitutionally abrogated the educational policy making powers of the Boston School Committee, a statutorily constituted elected body under the provisions of the United States Constitution, the Constitution of the Commonwealth of Massachusetts, and the Charter of the city of Boston; and

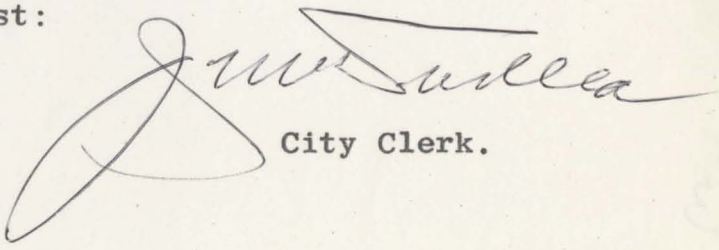
WHEREAS, Such abrogation of statutory powers of a local, legislative body in effect disenfranchises the voters of the city of Boston and results in the most insidious form of "taxation without representation," and

WHEREAS, The abrogation of the statutory powers of one legislature is unprecedented in the history of the American constitutional system, and a direct threat to the statutory powers of every legislative body in the nation, including the Boston City Council; now, therefore, be it

RESOLVED: That the Boston City Council, in meeting assembled, condemns the action of Federal Judge W. Arthur Garrity, Jr., in placing South Boston High School under receivership, and labels it as an unconstitutional breach of the Separation of Powers Article of the United States Constitution.

In City Council December 15, 1975. Adopted.

Attest:


City Clerk.