

Schwartz praises swastika ban

By DIANE DUBEY

Correspondent

UNITED STATES Supreme Court Justice John Stevens "rightfully decided" to uphold a lower court ban on the display of swastikas by members of the National Socialist (Nazi) party who want to march in Skokie, according to Harvey Schwartz, the village's corporation counsel.

But David Hamlin, executive director of the American Civil Liberties Union (ACLU), the organization providing legal counsel to the Nazi, told *The LIFE* he is "not pleased" although he maintains "the case is still alive and we intend to continue litigating."

Stevens, acting as justice of the 7th circuit during the high court's summer recess, Aug. 26 denied the ACLU petition to overturn the swastika ban which was upheld in July by a three-judge panel of the Illinois Appellate court.

In their motion, ACLU attorneys had asked Stevens to lift the ban pending appeal to the Illinois Supreme court. That hearing has subsequently been scheduled for Sept. 20.

In his decision, Stevens essentially agreed with Schwartz's argument that "the Nazis have already gotten and are getting all of the speedy review they are entitled to" and that the Illinois courts have proceeded "as expeditiously as humanly possible."

SCHWARTZ ALSO maintained that a temporary lifting of the swastika ban "would be tantamount to having Stevens decide on the merits of the case."

"Once a demonstration takes place, what is there to decide?" Schwartz asked. "They (the Nazis) only want to come once-after that, it's a moot issue."

Hamlin said the ACLU position has not been weakened by the Stevens decision "Because it was a procedural question. . .he wasn't ruling on the merits."

According to Schwartz, the village on Aug. 26 received official notice of a suit filed in federal district court by the ACLU which seeks to overturn three Skokie ordinances passed in May to prevent a Nazi demonstration in the village.

In addition to requiring a \$350,000 insurance bond

from any group interested in marching in Skokie, the ordinances prohibit both the demonstrations by individuals wearing military-style uniforms and the distribution of any material which incites group hatred.

Village attorneys must respond to the suit within 20 days, Schwartz said.