

2d suit to block Nazis from Skokie march fails

By Larry Weintraub

The Illinois Supreme Court again has refused to forbid the long-threatened neo-Nazi march through predominantly Jewish Skokie.

In a ruling issued Friday, and received Monday by lawyers in the case, the state tribunal ordered Cook County Circuit Court to dismiss a suit by survivors of the World War II Nazi holocaust, who sought to prevent the march.

Another ruling by the Supreme Court Friday in a related suit filed by the village held that the Nazi's First Amendment right of free assembly guarantees the National Socialist Party of America may march and display swastikas. That judgment was reported over the weekend.

The Supreme Court action revealed Monday ordered dismissal of a class action suit by Skokie manufacturer Sol Goldstein, a survivor of Nazi Germany's persecution of Jews, on behalf of all holocaust survivors in the village.

The suit maintained that psychological and emotional scars caused by memories of the World War II death camps would impel survivors to attend such a march and attempt to stop it, possibly by violence.

The court had ruled in the village's suit that Skokie residents were not impelled to attend a Nazi rally and, therefore, the First Amendment rights could not be abridged.

Jerome H. Torshen, attorney for the survivors, said he would formally ask the state high court to reconsider the question.

"This ruling is totally unprecedented," he said. "The Supreme Court ordered dismissal (of the suit) without giving the plaintiffs a hearing, without reading the motions, without considering the merits.

"The court has denied the litigants the right to be heard." He said he would file his motion for reconsideration within the next two weeks.

David Hamlin, executive director of the Illinois American Civil Liberties Union, which is defending the Nazis, said the Supreme Court's ruling on the village's suit "couldn't have been stronger" and he believes the ruling on the Goldstein action was saying that

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the court "considers the survivors' suit to be the same as the village's suit.

"The court's ruling is so strong that they're saying they won't rehear the suit," Hamlin

said, "and the ruling is so strong it's possible the U.S. Supreme Court will deny an appeal."

Skokie officials said over the weekend they, too, will ask the state Supreme Court to reconsider its judgment on their suit, and will appeal to the U.S. Supreme Court if the Illinois ruling is not changed.

The Nazis, headed by Frank Collin, have been trying to demonstrate in the village (where Jews comprise approximately 40,000 of the 70,000 population) since April.

If the state high court decisions stand, only one other legal barrier to a march would exist.

That involves three village ordinances hastily passed to thwart the march. The ordinances are being challenged in a suit before U.S. District Court Judge Bernard M. Decker,

Decker has heard arguments in that action and is expected to rule soon.