

# No swastikas allowed

# Lift march injunction

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**THE SWASTIKA** has been banned from the streets of Skokie—but members of the National Socialist (Nazi) party are no longer bound by an April 30 court injunction which has prevented a Nazi demonstration in Skokie since that time.

In lifting the injunction issued by Cook County Circuit Court Judge Joseph Wosik, the three Illinois appellate Court judges, Thomas McGloin, Mayer Goldberg, and John O'Connor, ruled that the presence of the swastika, the Nazi emblem, would constitute deliberate provocation of the people of Skokie.

However, they said Skokie attorneys failed to prove that either the Nazi uniform or printed materials the Nazis allegedly intended to distribute would

incite violence.

**THE APPELLATE** court judges also ordered the case sent back to the Cook county circuit court for a ruling on a permanent anti-Nazi injunction since Tuesday's decision pertained only to Wosik's temporary injunction.

Nazi lieutenant Michael Kelly said Tuesday that he believes the ban on swastikas is "unconstitutional. . . and we will go to the U.S. supreme court on this.

"If the swastika can be banned in Skokie, it can be banned anywhere in the U.S. and anything else can also be banned-like the Star of David," Kelly told *The LIFE*.

At the July 8 hearing on the injunction, Nazi leader Frank Collin said he would not march without displaying the swastika.

"That is my party identification, that is my sym-

bol, and we will not be parted from it, he said.

Collin appeared at the hearing in a black suit and tie and a white shirt while his three companions wore the traditional Nazi uniform consisting of brown shirt, khaki trousers, and high black boots, but displayed no swastikas on their persons.

Gilbert Gordon, assistant corporation counsel for Skokie, claimed at the hearing that "We are not asking to keep Mr. Collin and his followers out of Skokie—we want to keep him from what we consider an assault on our people.

"Why does he need the swastika and storm trooper uniforms?" Gordon asked.

The distinction between prior restraint and subsequent punishment formed the basis for the argument presented by David Goldberger, attorney for the American Civil Liberties Union (ACLU), which is representing the Nazis.

**GOLDBERGER SAID COLIN'S** demonstration is a classic exercise of first amendment rights," adding that "there never has been any threat of injury to on-lookers."

He said the Nazis should not be prohibited beforehand from marching; but would be subject to punishment if they broke the law.

The July 8 hearing resulted from a June 15 decision of the U.S. Supreme Court instructing the state courts to either lift the injunction or to hold a speedy hearing on the matter.

But even with the injunction lifted, for all practical purposes, the Nazis are legally prohibited from marching in Skokie unless they can post a \$350,000 insurance bond which Collin has said the group is unable to obtain. The bond requirement is one provision in a series of three ordinances adopted May 2 by the Skokie village board which prohibit both demonstrations by members of political parties who wear military-style uniforms and the distribution of materials which incite group hatred.

**BOTH NAZI LEADERS** and their attorneys have indicated their intentions to challenge the Skokie ordinances in court.

The reluctance of the Nazis to hold a Skokie demonstration in violation of the law is shown in their failure to appear for marches they scheduled on May 1 and July 4, both dates which were covered by the Wosik injunction.

Despite the absence of Nazis, about 1,000 people assembled on July 4 at the Mayer Kaplan Jewish Community Center in Skokie for a rally sponsored by the Jewish Defense League (JDL).

At that time, they heard JDL leader Rabbi Meir Kahane guarantee violence in the event of a Nazi march in Skokie and pledge an end to the Nazi presence in Chicago and to the Nazi office, itself, in the southwest Marquette Park area.

Although about 800 JDL members from across the country were expected in Skokie on July 4, most did not come when it became apparent that the Nazis would not show up. About 100 did show up, however, from JDL chapters in New York, New Jersey, and Florida. Several sticks and clubs belonging to JDL members were confiscated by Skokie police before the rally.