

## Free speech paramount

# ACLU lawyer defends Nazi rights

NEW YORK (UPI)—The Constitution protects free speech even though—as in Nazi demonstration in Skokie, Ill.—it might cause an emotional reaction or “psychological injury,” an American Civil Liberties Union lawyer said Saturday.

Nazis won the right earlier this year to demonstrate in Skokie, a Chicago suburb where many survivors of the World War II Holocaust live. But the group—the National Socialist Party of America—chose instead, after winning another court fight, to rally last month in Chicago’s Marquette Park.

ACLU legal director Bruce Ennis told an American Bar Assn. group that one argument used against the Nazis in their court battle was that the display of swastikas, symbolizing genocide to many, would inflict “substantial psychological injury on Skokie residents.”

Ennis, who was counsel of record for the Nazis, agreed that many in Skokie would be “traumatized” by such a protest.

BUT HE SAID one purpose of free speech is “to stir up anger and emotional responses. We cannot establish in this country a new doctrine to prohibit free speech whenever it causes an emotional reaction from an audience.”

Ennis continued: “I assume most black American would be upset or injured to hear

a Harvard geneticist talk about white superiority” or for a gay group to hear Anita Bryant give her views on homosexuality. “But we cannot suppress that kind of speech based on that kind of speculative audience reaction.”

Other highlights of the ABA’s annual convention here:

- Ethics committee chairman Lewis Van Dusen of Philadelphia announced his panel’s implicit endorsement of a proposal to relax longtime ABA rules against the use of news cameras and broadcast equipment in courtrooms.

Van Dusen presented his committee’s proposed changes in the ABA’s code of ethics, which serves as a model for federal and state laws. “This proposal is consistent with one being proposed to the association’s House of Delegates,” he told a press conference.

The House of Delegates, the group’s poli-

cy-making body, will be asked this week to approve another committee’s proposal to endorse greatly expanded use of cameras and broadcast equipment at criminal trials.

The proposal is expected to spark considerable controversy. Organized opposition already has formed.

The ABA’s endorsement would be advisory only, but the association’s past opposition to “cameras in the courtroom” is reflected in most state and all federal courts where photographic and broadcasting equipment is outlawed.

- The organization’s president-elect, S. Shepherd Tate of Memphis, told law students attending the convention that the employment rate for lawyers is rising and their median income is going down. He said that swelling law school enrollments have sharply reduced the job outlook for new lawyers.