

Nazis return to high court

By **DIANE DUBEY**
Correspondent

SKOKIE- American Civil Liberties Union (ACLU) is again turning to the United States Supreme Court in its efforts to secure the right for members of the National Socialist (Nazi) Party of America to march in Skokie...with their swastikas.

The high court may act as early as this week in response to the ACLU petition asking the court to stay the injunction which has prevented a Nazi demonstration for nearly four months.

A three judge panel of the Illinois Appellate Court had modified the original April 29 injunction to permit the Nazis to march, but without displaying swastikas. The ACLU attorneys, who are acting as legal counsel for the Nazis, believe that even the modified injunction abridges their clients' first amendment rights to free speech.

ACCORDING TO David Hamlin, ACLU executive director, the U.S. Supreme Court was asked on Friday, Aug. 19, to stay the modified injunction until a hearing on the constitutional merits of the case is held in either the Illinois Appellate or Illinois Supreme Court.

In a previous action on August 9, ACLU attorneys asked for a similar stay in the Illinois Supreme Court but this request has not yet been acted upon.

"I continue to believe that a first amendment ban cannot exist until you have a full hearing on the merits of the case," Hamlin said, adding that "this may be the longest running injunction in the history of the United States. It is unconscionable."

In a case involving first amendment rights, "There has to be a rapid conclusion to the legal process...first amendment rights are abridged while an injunction is in effect," Hamlin said. "This is not a case that can move slowly through the courts."

THE U.S. SUPREME Court has already acted in the Nazis vs. Skokie case, on June 15 lifting the original injunction until the case was heard in a state court.

At that time, Hamlin hailed the high court decision as "a significant statement about first amendment protections...requiring state courts to respond affirmatively to constitutional issues."

However, Harvey Schwartz, Skokie corporation counsel, called the decision "important and significant...but limited in scope, very narrow."

This time around, Schwartz said village attorneys, in filing an answer to the ACLU appeal, are stating that the ACLU "has already had all the relief mandated to it" in the last Supreme Court decision.