

# Skokie battles on in court

# Nazis plan April 20 Skokie march

By DIANE DUBEY

*Correspondent*

SKOKIE—Members of the National Socialist (Nazi) Party of America plan to march in Skokie on April 20—with the law on their side.

The last substantial barrier to a Nazi march was removed Thursday, Feb. 23, when U.S. District Court Judge Bernard Decker found unconstitutional three village ordinances which have helped to avert such a demonstration during the past 10 months.

And, although village officials indicated Thursday that they plan to appeal the decision, it is unlikely that further legal action can prevent the march, according to David Hamlin, executive director of the American Civil Liberties Union (ACLU), which has represented the Nazis in their efforts to parade in Skokie.

April 20, the 89th anniversary of the birth of Nazi leader Adolf Hitler, is ten-

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Long legal war lies ahead. Charles Mouratides' column. See page 4

Editorial—American freedom will win over Nazi hatred. See Page 4

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tative date of the first legal appearance of the small southwest Chicago Nazi group in Skokie, according to their spokesman, Michael Whalen. "We will continue to picket Skokie city hall at our own whim until we get the right to speak everywhere unchallenged," he said. Whalen said the Nazis will carry signs demanding "Free speech for white power" and possibly a few others claiming that "Communism is Jewish."

DECKER'S RULING overturned the ordinances, passed last May 2, which require groups wishing to demonstrate in Skokie to secure a \$350,000 insurance bond, and prohibit both the wearing of military style uniforms by members of political parties and the distribution of materials which incite group hatred.

Noting "the very grave danger posed by public dissemination of doctrines of racial and religious hatred," Decker nonetheless maintained that "it is better to allow those who preach racial hate to expend their venom in rhetoric than to be panicked into embarking on the dangerous course of permitting the government to decide what its citizens may say and hear."

In a prepared statement distributed at a press conference Thursday afternoon Skokie Mayor Albert Smith said the village "will ask the courts to forestall any demonstration pending the outcome of our appeal."

CLAIMING THAT "Today's decision ignores the First Amendment rights of thousands in favor of the alleged rights of a few," Smith repeated his well-known stance that Nazism does not deserve constitutional protections because it "Preaches hatred and violence because of a person's race or national origin."

According to Smith, the Nazi threat during the past year has actually created "an unprecedented unity of opinion among all of our residents, regardless of religious belief" which he likened to the unity of spirit among the founding fathers of the United States.

Ask to comment on the offer of Gov. James Thompson to lead a counter-demonstration in Skokie on the day the Nazis march, Smith said he is "happy to have all the support I can get." He agreed with Thompson's statement that the neo-Nazi threat to the village is "a moral outrage," but added that at present, no counter-demonstration is being planned.

ADMITTING THAT his group is using the village for leverage in a sort of Nazi free speech movement, Whalen said their actual goal is to be permitted to rally in the areas where they already claim support—Marquette Park and the south and northwest sides of Chicago. Until that time, he said, "We will continue to agitate in Skokie."

According to Whalen, his organization's national convention will be held March 11 in St. Louis where rallies will be held as a "warm-up for Skokie."

Offering the ACLU position on Decker's decision, Hamlin said "To the extent that the First Amendment has been reaffirmed, we are gratified.

"I THINK THAT the First Amend-

ment all but dictated the response the court handed down—if it doesn't protect Frank Collin (Nazi leader) it protects no one," he said.

Hamlin said no significant legal obstacles stand in the way of a Nazi march in Skokie, although a march cannot be held immediately because of

a legal technicality regarding a Jan. 27 decision of the Illinois Supreme Court. In that ruling, the court overturned a swastika ban, but no appeal has been filed yet by the village or by the Anti-Defamation League of the B'nai B'rith which was involved in a related suit.

According to Hamlin, the Nazis could be prevented from marching during the appeal process only if the village requested and received a stay of Decker's ruling or "yet another injunction."

"Weighing the evidence in this case alone makes it highly unlikely that the

(Continued on page 3)

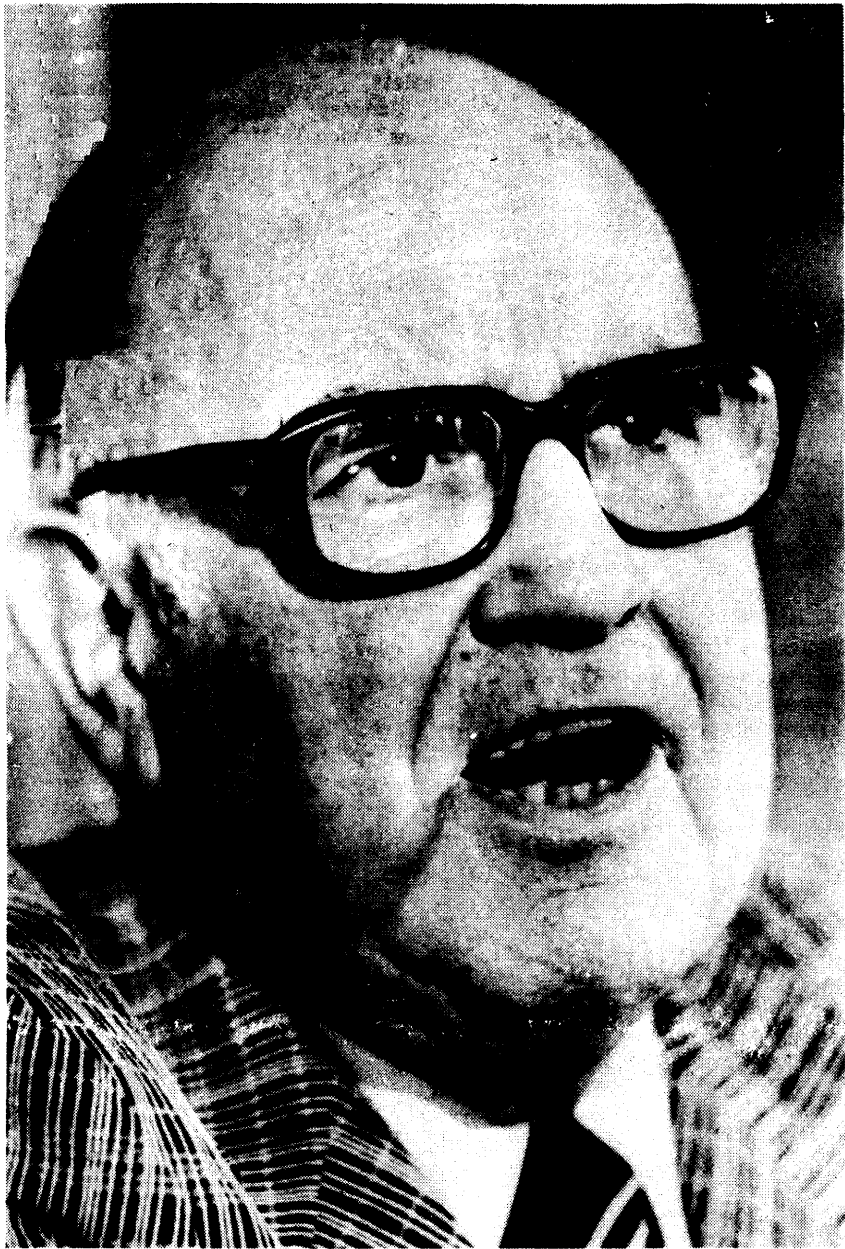
## Nazis planning Skokie march

(Continued from page 1)

demonstration would be prevented with another court order," he said.

If the Nazis make it to Skokie on April 20, members of the Jewish Defense League (JDL) say they will be there also. Calling Decker's ruling "typical of the lack of responsibility that the court system has shown...to the holocaust survivors," JDL spokesman Buzz Alpert stressed the need "to come forward and make a stand as we should have 40 years ago and maybe we shall never have to make a stand again." Refusing to be more specific Alpert said "We'll be there, that's all."

SKOKIE BECAME a target of the Nazis in December, 1976, when they were not issued a rally permit by the Skokie park district. They planned a number of demonstrations in front of Skokie village hall to protest the action taken by the park district, but these events were averted by Cook County Circuit court injunctions and later by the three ordinances. Decker's ruling is the most recent in a series of legal battles which have reached both the Illinois and United States Supreme Courts.



**SKOKIE MAYOR ALBERT** Smith showed the determination of Skokie to keep the Nazi march from taking place in Skokie. Smith told a Thursday press conference that Skokie would appeal its latest court setback.



**THIS WAS THE SCENE** Thursday at Skokie village hall, as Mayor Albert Smith faced the media to explain what Skokie's next move will be in the battle to keep the Nazis out of Skokie.