



Jewish Telegraphic Agency

DAILY NEWS BULLETIN

660 FIRST AVENUE

NEW YORK 16, N.Y.

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Vol. XXVII - 42nd year

Thursday, August 25, 1960

No. 163

JEWS GROUPS APPEAL TO U.S. SUPREME COURT AGAINST SUNDAY CLOSING LAWS

NEW YORK, Aug. 24. (JTA) -- Major American Jewish religious and civic organizations today filed a brief with the United States Supreme Court asking the court to declare compulsory Sunday closing laws unconstitutional.

The organizations joining in the brief include in their constituencies most American rabbis, an overwhelming majority of members of Jewish congregations in the United States, and a substantial proportion of Americans affiliated with Jewish civic organizations.

The brief argues that Sunday laws infringe the First and Fourteenth Amendments to the United States Constitution. The First Amendment prohibits any establishment of religion or any law prohibiting the free exercise of religion. The Fourteenth Amendment enjoins states from depriving persons of liberty or property without due process of law or from denying them equal protection of the laws.

Specifically challenged in the brief are the compulsory Sunday laws of Massachusetts and Pennsylvania. In both those states, Sabbath-observing Jews had sought in lower courts to enjoin enforcement of the laws against them. These cases are now on appeal to the Supreme Court. Any clear-cut Supreme Court ruling will have far-reaching effects, since many states have Sunday laws like those of Massachusetts and Pennsylvania.

The Jewish organizations joining in the brief as "friends of the court" are affiliated in two national coordinating agencies, the Synagogue Council of America and the National Community Relations Advisory Council. The latter also includes 52 Jewish councils in cities throughout the United States.

A joint advisory committee of these two coordinating groups has been working for some years to maintain strict separation of church and state. This committee is made up of officially designated representatives of the national rabbinic and congregational bodies of Orthodox, Conservative and Reform Judaism, and of the American Jewish Congress, the Jewish Labor Committee, the Jewish War Veterans of the U.S.A., and the Jewish councils affiliated with the NCRAC. The brief was prepared under the direction of this joint advisory committee.

Present Arguments Showing Sunday Laws Infringe the Constitution

The brief argues that the Sunday laws infringe the First Amendment because they are religious laws, forbidden by the constitutional ban on laws respecting an establishment of religion. Even if they are considered welfare laws--as has been argued--the brief maintains, they still infringe the Amendment because they restrain the religious freedom of persons who observe some day other than Sunday as their Sabbath and thus interfere with the free exercise of religion.

In contending that the Sunday laws also infringe the Fourteenth Amendment, the brief rests on the so-called "due process" clause. The laws, the brief maintains, arbitrarily and unreasonably permit some activities and forbid others. This, in effect, deprives individuals of liberty and property without due process of law and denies equal protection of the laws, the brief argues.

While entering the case because they consider Sunday law enforcement against the Jewish plaintiffs in the original litigations a serious infringement of their civil, religious and economic rights, the Jewish organizations submitting the brief declare that their concern extends beyond the interests of the particular parties.

"We would be concerned," the brief asserts, "even if (the plaintiffs) were not Jews or observers of the seventh day of the week as Sabbath. It is our position that the principle of religious liberty is impaired if any person is penalized for his religious beliefs, or for not adhering to any religious belief, so long as he does not interfere with the rights of others or endanger the public peace or security."

That the Sunday observance laws are religious laws "is hardly controvertible," the brief says. This contention is supported by a review of the historical background of such laws, going back to the first promulgation of a Sunday law by the emperor Constantine and tracing their evolution through European and Anglo-Saxon times and the American

colonial period. Early Massachusetts and Pennsylvania statutes beginning with the time of the Massachusetts Bay Colony and William Penn are cited.

Recent attempts to interpret these laws as welfare measures, intended to ensure at least one day of rest in seven, the brief calls "unreal, bordering in fact upon the fictitious." In support of this contention, it points out that:

1. The Massachusetts law still designates the day on which certain activities are forbidden not as Sunday, but as "the Lord's Day."

2. Both the Massachusetts and Pennsylvania laws permit sports events after one or two P. M. on Sunday. This limitation, the brief shows, is designed to "avoid competition with church services."

3. "The Sunday laws do not in fact require anyone to rest on Sunday." They merely forbid certain trades, businesses and occupations from being pursued on that day. Thus a person who works six days at an occupation forbidden on Sunday may work Sunday also at an occupation not forbidden.

4. A law concerned with health and welfare would not necessarily designate "the Lord's Day" as the required day of rest. This is shown by the fact that both Massachusetts and Pennsylvania, as well as other states, have separate laws regulating the number of days and hours that persons may work in any one week.

Sunday Laws Held Unconstitutional Even as Welfare Laws

However, even should the laws be deemed welfare laws and not essentially religious laws, the brief contends, they are still unconstitutional because they in effect penalize individuals whose religion requires them to observe some day other than Sunday as their Sabbath.

It dismisses as "cavalier" the ruling of a Massachusetts court that "anyone who deems another day more suitable for rest or worship may devote that day to the religious observance which he deems appropriate." Such a "costly alternative" to conformance with the Sunday law constitutes virtual compulsion, the brief argues, since many small Sabatarians merchants "are afforded only the choice of giving up their means of livelihood or compromising their religious convictions."

This makes the law unconstitutional, the Jewish organizations maintain, under the First Amendment which, they assert, protects "the free, not the purchased exercise of religion." Pointing out that the Supreme Court has twice declared unconstitutional the imposition of a license tax for preaching, the brief argues that "the financial sanction imposed by a state for observing a day other than Sunday as holy time is certainly more serious economically" than such a license fee and is therefore surely not less unconstitutional.

ISRAEL PROTESTS AGAINST U. N. ACCEPTING ARAB TROOPS FOR CONGO

JERUSALEM, Aug. 24. (JTA) -- The Israel delegation to the United Nations has been instructed to protest to the United Nations against its acceptance of United Arab Republic troops as part of the UN Force in the Congo. This was disclosed here today by Haim Yahlil, director-general of the Foreign Ministry.

Mr. Yahlil told the Foreign Affairs and Security Committee of the Knesset (Parliament) that Michael S. Comay, Israel's permanent representative at the United Nations, had been instructed to "voice apprehension" over that acceptance. Secretary General Dag Hammarskjöld announced last week that he had "requested" the UAR to contribute 500 soldiers to the UN Force in the Congo.

The Knesset committee, at its meeting today, also heard a report about the situation in the Republic of the Congo from Ehud Avriel, Israeli Ambassador to Leopoldville, who is here for consultations with the Foreign Ministry.

SCIENTISTS FROM 15 AFRO-ASIAN NATIONS SEEK ASSISTANCE FROM ISRAEL

JERUSALEM, Aug. 24. (JTA) -- Fifteen delegations from African and Asian countries attending the International Conference of Scientists at the Weizmann Institute in Rehovot, have asked for scientific instruction and technical assistance from Israel. Abba Eban, Minister of Education, told a press conference today.

Mr. Eban, who is presiding at the Conference, said the requests were principally for the sending of experts to those countries and for the granting of scholarships for study in Israel in the fields of health, industry, agriculture, general development and education.

MOSCOW TO HELP NASSER BUILD A SHIPYARD IN EGYPT; CONTRACT SIGNED

LONDON, Aug. 24. (JTA) -- Tass, the official Soviet news agency, announced yesterday that the Soviet Union will help the United Arab Republic build a shipyard in Alexandria. The announcement said a contract was signed by a visiting UAR economic delegation in Moscow with a Soviet concern, based on a Soviet-UAR economic and technical aid agreement signed in 1958.

EISENHOWER REPORTS TO CONGRESS ON U. N. STAND ON ARAB REFUGEE PROBLEM

WASHINGTON, Aug. 24. (JTA) -- President Eisenhower, in an annual report to Congress on United States operations in the United Nations, today supported UN handling of the Arab refugee problem and endorsed the United Nations Emergency Force as a contribution to stability. He said the United States would continue to support UNEF "because we firmly believe it constitutes a major bulwark of peace in the Middle East."

Stating that "the future of approximately 1,000,000 Arab refugees from Palestine" caused concern, Mr. Eisenhower said the UN General Assembly "took several constructive steps in an effort to better the present situation and to find a solution to this pressing problem."

He said that the General Assembly requested the Palestine Conciliation Commission "to make further efforts to secure the implementation of the Assembly's decision in 1948 that the refugees wishing to return to their homes and to live at peace with their neighbors should be permitted to do so, and that compensation should be paid for property left behind by those not choosing to return."

The Eisenhower report noted that the Assembly unanimously extended the mandate of the UN Relief and Works Agency for Arab Refugees from Palestine for three years, with provision for a review at the end of two years. He made reference to the fact that the Assembly urged acceleration of programs to make more of the refugees self-supporting. He noted, also, that the Assembly "asked that irregularities in the distribution of relief rations be stopped."

Mr. Eisenhower stated that the United States had stressed at the United Nations that a fundamental solution of the Arab refugee problem "must be sought by all available means." He said the Assembly "made a further significant contribution to stability in the Middle East by voting continued support for the United Nations Emergency Force." He termed the UNEF patrolling of the Israel-Egyptian frontier "a remarkable demonstration of what international cooperation can do to help keep the peace."

JUDGE RESERVES DECISION ON PETITION FOR ROCKWELL MEETING IN NEW YORK

NEW YORK, Aug. 24. (JTA) -- George Lincoln Rockwell's Washington-based American Nazi Party was roundly denounced in New York State Supreme Court here today as an organization that advocates the mass extermination of Jews, as a dozen attorneys, representing a wide variety of Jewish and non-Jewish organizations, petitioned the court to uphold the refusal of New York City to permit Rockwell to hold a public rally in this city.

The hearing, before Justice Henry Epstein, was on a petition of the New York Civil Liberties Union which insisted that the city permit Rockwell to hold a rally in Union Square. The CLU, however, clearly disassociated itself from Rockwell's views, holding only that his constitutional rights of free speech would be violated if he were to be shut out of his "right" to hold a public rally.

After two hours of argument, Justice Epstein reserved decision on the CLU petition and all the counter petitions, giving all attorneys until Friday afternoon to file briefs. He did not indicate when he would render decision. Rockwell was not present. There is a warrant of arrest for his apprehension in New York City on charges of inciting to riot.

Emanuel Redfield, counsel for the CLU, argued the case for Rockwell's constitutional rights, while Assistant Corporation Counsel Saul Moskoff opposed the Civil Liberties petition on behalf of Mayor Robert F. Wagner and Commissioner of Parks Newbold Morris. Union Square is under the Park Commissioner's jurisdiction. Mr. Morris, last June, denied a Rockwell application for a permit to hold a meeting in Union Square, after Mayor Wagner denounced the Nazi leader as "a half-pint Hitler."

After Mr. Moskoff had argued that Rockwell's previous speeches, at rallies in Washington, had proved that the man advocates the mass murder of Jews, Justice Epstein permitted the playing of a recording in which Rockwell was heard to say that 80 percent of American Jews are Communists or pro-Communists, and that "all Communists, including Jews, should be executed."

Among the organizations that argued against granting Rockwell a New York park permit were the American Jewish Committee, represented by Edwin J. Lukas; Jewish Labor Committee, represented by Leon Becker; Jewish War Veterans of the United States, Theodore Brooks; Assemblyman Irwin Brownstein, representing himself; Harry Lipsig, for the Public Awareness Society; and the Labor Temple Fellowship, an organization including members of all faiths, represented by Martin Leaf.

Rockwell Sues U.S. Marine Corps and Jewish War Veterans

WASHINGTON, Aug. 24. (JTA) -- A member of the American Nazi Party who was discharged from the United States Marine Corps following intervention by the Jewish War Veterans of the U.S., today filed suit in U.S. District Court against both the JWV and the Marine Corps.

John Patler, who recently changed his name from Patsalas, charged the JWV with conspiring to deprive him of his status as a U.S. marine. He asked \$1,575.50 in back salary and \$500,000 for being "publicly humiliated."

NEW YORK MAYOR EXTENDS REGISTRATION PERIOD FOR JEWISH VOTERS

NEW YORK, Aug. 24. (JTA) -- Two days have been added to New York City's fall registration period to avoid conflict for Jewish voters with Jewish religious holidays, Mayor Robert F. Wagner announced last night. Originally the registration period for voters was fixed for October 12-14. However, these days conflicted with the last two days of Succoth which begins on the evening of October 12 and with the Sabbath on the evening of the 14th. On these days religious Jews would have been unable to register because writing is required.

In announcing that October 10 and 11 would also be available for registration, Mayor Wagner said these two days were being added "to give a full opportunity to all voters to register." The additional expense to the city of the two extra days will be \$450,000.

The Mayor acted after Governor Rockefeller rejected last Friday a request for a special session of the State Legislature to revise the dates for New York City. Governor Rockefeller said he was turning down the request because "any sudden and belated shifting of these long established registration dates would only serve to create confusion in the minds of the public."

COUNCIL OF JEWISH WOMEN URGES FIGHT ON BIGOTRY IN ELECTION CAMPAIGN

NEW YORK, Aug. 24. (JTA) -- The National Council of Jewish Women asserted today that "religious prejudice has entered the presidential election campaign" and urged voters to combat the development.

Mrs. Charles Hymes, president, said that "two kinds of campaigns will take place, one the official campaign in the public forums, the other a whispering campaign in private parlors." She added that "the whispering has already started" and appealed particularly to American Jewish women to look on "bigoted reasoning" as "a challenge which must be answered."

ISRAELI PHYSICIANS PRESENT STUDIES AT MEDICAL CONGRESS IN WASHINGTON

WASHINGTON, Aug. 24. (JTA) -- Three Israeli medical specialists here as delegates to the third International Congress of Physical Medicine are this week presenting reports at the largest gathering ever held of experts in treatment and rehabilitation of the handicapped.

The Israeli delegates are Dr. Emil Adler, Jerusalem, who is associate professor of physical medicine, Hebrew University, and director of physical medicine, Hadassah University Hospital; Dr. H.I. Weiser, of Tel Aviv, who is director of the Institute of Physical Medicine and Rheumatology, Hadassah Municipal Hospital, Tel Aviv, and Dr. Asher Ghiora, head of the Department of Physical Medicine and Rehabilitation, Workers' Sick Fund, Tel Aviv.

The three Israeli presentations were described as important contributions among the estimated 100 scientific reports presented to the International Congress. Dr. Adler discussed a study made of 24 paraplegics and quadriplegics, with particular stress on the psychological and psychosomatic problems of their rehabilitation. Dr. Weiser reported on "vertigo of cervical origin." He also served as chairman of the session on neuromuscular diseases. Dr. Ghiora presented a paper on physical therapy of facial paralysis.

BRANDEIS UNIVERSITY ANNOUNCES OPENING OF NEW JUDAIC CENTER

WALTHAM, Mass., Aug. 24. (JTA) -- A new Judaic Center, the gift to Brandeis University of the family of Joseph Golding, prominent in New York City's textile industry, will be opened to students at the start of the 1960 academic year, it was announced today by Dr. Abram L. Sachar, president of Brandeis.

The modern red brick and concrete building will house the university's graduate and undergraduate programs in Near Eastern and Judaic Studies, Mediterranean Studies, and the newly established Philip W. Lown Institute for Advanced Judaic Studies.

The university's Near Eastern and Judaic Department trains students and teachers in the various cultures of the Near East and in classical and modern Judaic civilization. The Philip W. Lown Institute will provide a center for independent research--at the graduate level--of all phases of Judaic studies. The Department of Mediterranean Studies trains graduate students in the languages, history and archaeology of the ancient cultures that gave rise to Classical Hebrew, Graeco-Roman and Islamic Civilizations around the shores of the Mediterranean.

MEMPHIS STUDENT ELECTED PRESIDENT OF B'NAI B'RITH TEENAGE BOYS

STARLIGHT, Pa., Aug. 24. (JTA) -- Jerome Diamond, an 18-year-old college sophomore from Memphis, Tenn., was today elected international president of Aleph Zadik Aleph, teenage boys division of B'nai B'rith youth organization, at the closing session of the group's annual convention. The organization has a membership of more than 16,000 throughout the United States and Canada.