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### New Ship of State

Now that Mr. Willy Brandt has become head of the German government, after an election which had many people worried, the results can be assessed. Most gratifying has been the rejection of the NPD, a neo-Nazi party, by the German people. Although Mr. Brandt's party, the Socialists, did not win a majority, it did gain over the previous election. On the Nazi question, Mr. Brandt is, to use an Eisenhowerian expression, clean as a hound's tooth. Not quite the same could have been said of Mr. Kiesinger, the former Chancellor.

If Press reports and dope stories are to be believed, the new government will take a fresh stance towards the east, and particularly East Germany. There will be recognition of its official existence. Also, the new government will make efforts to accommodate to other realities, such as the Oder-Neisse line which allowed Poland to incorporate border territory within its boundaries. The Mark will be revalued and Germany can move ahead in its new ship of state.

There are thirty-thousand Jews in Germany and it is a growing community. Not in the foreseeable future will there be the 600,000 who lived there before Hitler. But it is good to know that democratic conditions have been established, at least for the time of this government, not only for the small Jewish group, but for peace in central Europe generally. Having absorbed their own nine million refugees, the Germans can very well turn a new leaf in history's book and perhaps show the way to other nations.

### A Look at Judge Haynsworth

By ROBERT E. SEGAL

If Judge Clement F. Haynsworth Jr. has been feeling the hot winds of criticism during the strenuous efforts of Senator Strom Thurmond and other friends to win the blessing of the Senate on his way to the Supreme Court, he might comfort himself by turning back to those rough days of 1916 when Louis D. Brandeis was sweating out the opposition to his appointment.

In the Brandeis episode, William Howard Taft, Elihu Root, Joseph Choate, and four other American Bar Association Presidents, along with President A. Lawrence Lowell of Harvard, were leading the onslaught, week after week, in bitter opposition to President Wilson's determination to put Brandeis on the bench, they inveighed against Brandeis who had delighted his friends and perplexed his enemies by judging clients as human beings rather than as labor leaders or bankers, wise men, or dolts. Throughout the ordeal, Senator Thomas J. Walsh stood like a rock demanding the prestigious detractors of Brandeis to prove allegations that the Boston lawyer was ruthless, evasive, dishonest. None of the tar flung at Brandeis stuck. His sin was that he was a Jew, a friend of Woodrow Wilson, an opponent of the New Haven Railroad, and a highly imaginative idealist. The Senate finally approved his appointment, 47 to 22.

The purpose of these musings is not to raise the proposition some advance, maintaining that it would be good for the ecumenical health of the nation were President Nixon to appoint a Jew to the bench. Granted that Martin



Mayer in his excellent study of Lawyers in America estimates that 20% of all lawyers in this country are Jewish giving Mr. Nixon a fairly large reservoir to draw from, we shouldn't brood too long over the President's break, with a 53-year-old precedent. Besides, the NAACP has put a resolution on record scolding the President for shattering the tradition of having a Jew on the highest bench. It seems fitting in these days to let that issue stand on such a fascinating turn of advocacy.

Judge Haynsworth's backers are hot with their criticism of all who raise questions about the South Carolina's financial interest in business enterprises in instances bringing his court the responsibility of making decisions. We can give the aspirant the benefit of the doubt on that score.

But his civil rights record is quite a different matter. The Leadership Conference On Civil Rights detailed the jurist's obvious and active sympathy for southern-intransigents who have dreamed up ingenious schemes to circumvent the desegregation decision of 1954. And indeed, a dispassionate examination of the Haynsworth record on the Prince Edward County and New Kent County school cases show a firm commitment on his part to the discriminatory practices of yesterday. Judge Haynsworth upheld an obviously biased school transfer plan, stood up for Virginia's massive resistance technique, and went along with the "freedom of choice" philosophy, enabling segregationists to squeak through with a minimum of school desegregation.

How would Judge Haynsworth regard such issues when they come to the nation's highest court which has on four occasions reversed him?

The answer could tell much more about the wisdom of the Haynsworth appointment at this critical period of our history than will the raking through the way he has accumulated his money. After all, there was once a justice of the Supreme Court who committed a financial indiscretion and paid for it partly because some of the people who now champion Judge Haynsworth apply one set of standards to one jurist and a different gauge to a second. The reference is to Judge Fortas; and something he said when senatorial passions denied him the chief justice post bears repeating:

"It's all not been an attack on me; it's been an attack on the Court, on the liberality of its decisions, by the part of the Senate which feels that the Court has usurped its powers. But the Court has declared itself irrevocably on the side of equal justice for everybody, including the poor and the black; and whatever happens to me, no one will be successful in setting back the clock. We shall never again return to the days when Justice for some people will be in the back room of the police station at the end of a nightstick."

NEW YORK (WNS) -- The Synagogue Council of America, which represents lay and rabbinic branches of Orthodox, Conservative and Reform Judaism, has filed a friend of the court brief with the Supreme Court opposing taxing of religious property and activities as a violation of the First Amendment of the Constitution. The brief, which was joined by the National Council of Churches and the United States Catholic Conference, relates to a case brought by a New York City taxpayer against the city's Tax Commission which asserts that tax exemption of religious institutions violates the Constitution's First and 14th Amendments governing freedom of religion and separation of church and state.

"OY VEY-GAS" (Continued from Page 1)

"Baby Face", "Rockabye", "O Susanna", "Swanee", "Toot Toot Tootsie", "April Showers", "Sonny Boy", and oldfolks revive enduring memories of the magic master....and shades of Eddie Cantor....Fisher is no showman, comic or even talker, but his voice, polished since his stardom (with Johnny Ray) of the late '40's, has unique tonal quality unmatched today.

Steve Rossi & Slappy White, plus the Blossoms, round out Fisher's CP engagement...Slappy says, "I get shook up seein' 3 good humor men together...and I always root for the Jews over the Arabs....after all, can't trust those guys in the white sheets".....But we can't conjure enough glowing adjectives to describe Fisher, who, in addition to chanting & caressing Jolson's hits, belted: "Ive Gotta Be Me", "Oh My Poppa", and Paul Anka's "My Way"..... We're convinced his star'll rise higher.As Jolson used to say: "You ain't Heard Nothin' Yet!"

A 75-year-young grandmother applied to her insurance co. for proceeds of a policy that had matured. The reply: "Sorry, we cannot honor your request until we receive your death certificate".....Our astronauts had every right to say prayers from outer space. After all, individuals who work for the gov't are entitled to religious views that are not official policy.....We've never been prouder of pop Tell, for calling attention to false stories in both dailies about the Peace Monument, which will now be truly non-denominational....."Medium Cool" reveals the establishment at it's worst, at the Chicago convention where, as LBJ's Kerner Commission said, "the police rioted".....

If our interference in So. Viet Nam's civil war was an error in 1965, each day's deaths compound our mistake, despite No. Viet Nam's later heavy response to our aid (to puppet generals we placed in power)...Greenville, So. Carolina's lily-white restricted country club boasts as its most prestigious member; Judge Clement Haynsworth... Its unbelievable but true that LBJ and scores of others were duped by Martin Sweig's imitation of his boss, House Speaker McCormack.....Courts' new rule in Smog suits: government merely holds all land "in trust" for the people....Ratings: Carson 37%, Bishop 12% and nite-time newcomer Griffin 15%....MGM's new prexy, Jim Aubrey, ex-tyrant at CBS, once let a VP ramble 35 minutes before giving him an ax.

Zsa Zsa Gabor, absent from LV six yrs, back to the Flamingo Jan. 8th....Paradise Island in the Bahamas is in a depression similar to LV's during 1963-68....Elvis back to KK's Kastle Jan. 26th trying to top his record 101,000 attendance...Many queries on our item last week 'bout the Checkmates splitting up in Jan., which we reaffirm....We can't understand why five minutes isn't enough time to race the Zodiac's calls....F. Sinatra goofed by flaunting that N. J. subpoena, playing right into the hands of his critics....Pres. Nixon on Nov. 3rd may beg doves for more time. He should be refused....Why did the dailies suppress news that UNLV's Prof. Bradford had five of six charges dropped immediately, after they bannered his first arrest?.....

Bradford was subjected to re-takes for tv cameras after his arrest last month....Possibly the ring's greatest boxer was cheated, fight fans were bilked, and every citizen who believes in free speech was slapped in the face when Cassius Clay, deprived of his right to a livelihood, was "punished" beyond his court conviction. Shame!.....Does \$20 million in lost revenue "prove" Clay's "sincere objection to war"?....We have every right not to see Clay fight, but how are we brazen and un-American enough to prevent him from doing so?.....LA Dodger Maury Wills, baseball's base-stealer, steals the spot nightly at the El Cortez....So. Viet Nam's army will, according to NBC News, rise to the occasion when we depart. We agree.....

Nixon's Nov. 3rd speech, which we feel won't satisfy those demanding an immediate pullout, will add fuel to the 3-day Moratorium in mid-Nov....40 yrs. ago Variety headlined "Wall Street Lays An Egg"....RFK once proposed that all big earners should pay 25% tax, after all loopholes....The U. S. is the most integrated nation on earth, but not nearly enough....Nixon has always followed fashionable trends, like Red-hunting for McCarthy. Now, when he'd be right to bend in the popular wind of peace, he'll probably blow it....The token cut in the oil depletion allowance, to 23 1/2%, is a joke. What about other irreplaceable natural resources, like copper, lumber, coal, and even a man's life-span earning ability?.....Don't miss the Summerwinds breezing into the Sahara next week... Slappy White reports that Oct. 27 is very important for Negroes, as the day new Caddies come out.....

We hope that million bucks for United Fund helped LV's world wide image of Sin City, Glitter Gulch, Hood Haven, or Lucius Beebe's Whisky Straight....Nixon's ego won't let him preside over America's first defeat. That's (Continued on Page 5)

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