

Let's Hear It For Sandra O'Connor

By Robert E. Segal

When the Supreme Court early in June ruled 6 to 3 that an Alabama statute is unconstitutional because - basically - it stretches the "moment-of-silence" law so wide as to get the government entangled with religion, Chief Justice Burger made an arguable point in his dissent.

"Some will find it ironic, perhaps even bizarre," Justice Burger wrote, "that on the very day we heard arguments in this case, the Court's session opened with a invocation for divine protection." He also pointed out that a few hundred yards away, the House and Senate open each session with a prayer.

Ironic? Bizarre? Not at all for those who would remind Justice Burger and thousands of others that it is not compulsory for Americans to serve in either the top court or in federal legislative Halls whereas the law does make it compulsory for children to get elementary education. And those children finding themselves in public (government operated) schools rather than private schools, must not be coerced insofar as religious practices enter the state-controlled arena.

Justice Sandra O'Connor, who might have been expected to share the dissenting view of Justice Burger, put the case for invalidating the Alabama statute precisely. Undoubtedly, much to the dismay of President Reagan, who appointed her, and the Moral Majority, she cautioned that a challenged government practice should be regarded unconstitutional if it "makes adherence to religion relevant to a person's standing in the political community." Succinctly and convincingly, she added that direct endorsement of religion or a message that religion or a particular religious belief is favored "fails the test."

Justice Paul Stevens, writing for the Court's majority, provided judicial thinking similar to

that of Justice O'Connor. The Alabama statute, he wrote, violates the First Amendment's prohibition against an official establishment of religion because the law had as its "sole purpose" the fostering of religious activity in the classroom. In driving home that point, he noted that Alabama State Senator Donald Holmes, the chief sponsor of the law, had acknowledged in court that the sole purpose of the legislation was to permit prayer in Alabama's public schools.

Put another way, the Alabama law was not just accommodating a program of prayer, it was promoting it.

A moment of silent contemplation in the public school classroom is all that's necessary to enable each child to be prayerful if he wishes. But Jerry Falwell and some of his Moral Majority colleagues are dissatisfied with this sensible formula. When the Alabama decision came down Mr. Falwell beheld the Supreme Court as "out of focus." Nor did he stop at that. "It's much like the Soviet Union," he said.

You may have heard similar comment from the pious right. A few months ago Rev. Harold Crowell, founder of the Massachusetts Moral Majority, spoke about prayer to an assembly of Newton Centre, Mass., public school students. Branding the American Civil Liberties Union a Communist front, he not only blackened the name of a courageous and patriotic organization but denounced those who oppose prayer in public school as "part of a liberal, leftist persuasion seeking to convert the government to...a tyrannical dictatorship." Whereupon one of the students offered this staunch rejoinder "You're saying we're either Communists or we favor school prayer. Who's denying school prayer now, anyway? I can pray if I want, and no one cares either way."

Our country has had some 40 years of agitation and court fights over the school prayer issue. Justice O'Connor deserves high marks for helping to point the correct direction for those who really respect the Constitution.

ORT Students Welcome Israel Army Chief



Israeli Army Chief of Staff Rav-Aluf Moshe Levy met with students at the ORT Syngalowski Technical High School in Tel Aviv during a recent tour of the ORT Israel school network.

"ORT Israel graduates play a major role in Israeli industries and in the Israeli army," Levy said. "The Army faces a significant shortage this year of technicians who have the skills to operate the latest sophisticated equipment. ORT Israel graduates, thanks to their hi-tech training, are able to make a vital contribution to the nation's defense during the period of their army service. Their presence is very much felt and valued."

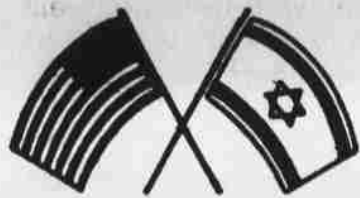
American ORT Federation President Alvin L. Gray noted that "ORT Syngalowski, with a varied curriculum that includes classes in mechanics, technical design, electronics, and computer studies, is a fine illustration of the ORT network's practical approach to education. Focused training that is presented in a stimulating learning environment leads to rewarding careers for ORT graduates."

Anti-Semites Deface Ed Asner's Home

LOS ANGELES (WNS) — A neo-Nazi group claimed responsibility for the anti-Jewish defacement of the home of actor Ed Asner. The group promised further such incidents if Asner continued his activities "in the interest of international communism and Zionism."

Vandals scrawled "Kill Jews" and spraypainted a swastika on the front door of Asner's Studio City rented home here. There was no other damage and no one was at home at the time of the early morning incident, according to police.

An unidentified man phoned the offices of a news agency claiming to represent the National Socialist Liberation Front and said, "We claim responsibility for the attack on the home of the communist Jew pig Ed Asner."



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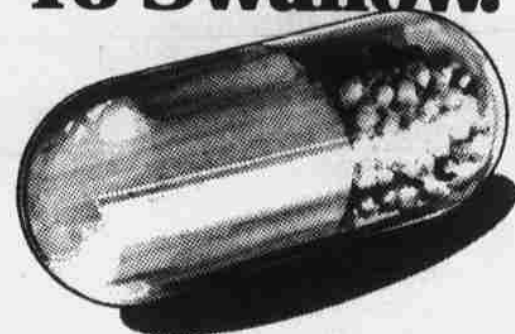
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