

---

STATEMENT ON THE SUNDAY CLOSING BILL 362, S BY THE MILWAUKEE JEWISH COUNCIL BEFORE THE WISCONSIN SENATE JUDICIARY COMMITTEE APRIL 24, 1963

My name is Saul Sorrin. I reside in Milwaukee and I am the Executive Secretary of the Milwaukee Jewish Council, a community relations agency whose board represents five national Jewish organizations in the Greater Milwaukee area and is also drawn from the Jewish community at large. The organizations are B'nai B'rith, the American Jewish Committee, American Jewish Congress, Jewish Labor Committee, Jewish War Veterans. For more than 20 years the Milwaukee Jewish Council has worked in the field of community relations and civil rights.

The Milwaukee Jewish Council is deeply concerned with the preservation of religious freedom and it is on this ground that we wish to oppose The Sunday Closing Bill 362, S. I am certain that this committee has heard testimony in opposition to this bill on the grounds that it stifles free enterprise, that it discriminates against certain classes of merchants, that it is unfair and contradictory in that it prevents a parent from buying a toy or game for his children on Sunday, but would permit the same parent to purchase alcoholic beverages on the same day. However, while these are valid criticisms of Sunday Closing Laws and of this law in particular, the Milwaukee Jewish Council does not state its objections in these terms.

Our principal concern is religious freedom which we believe can remain inviolate only when the state refrains from intruding its authority in the religious affairs of our citizens. We believe that 362, S is the imposition on all of the people of Wisconsin of a pattern of conduct which finds its sanction in a particular religious belief. This bill constitutes, in our view, a violation of the religious freedom of Jews and all others who do not observe Sunday as their day of rest. It requires them to conduct themselves in a manner which may be inconsistent with their own kind of religious commitment. We believe that placing the authority of the state behind the observance of the holy day of a particular religious group constitutes "an establishment of religion" in violation of the First Amendment.

We believe the exemption clause contained in paragraph 5 raises a serious question with regard to constitutionality. This paragraph provides an exemption from this law for one "who proves that he conscientiously observes another day as a day of rest in accordance with the requirements of his religious faith and actually refrains from all secular labor and business of this other day". To whom shall this proof be offered? What agency of the state shall judge whether one "conscientiously observes"? What standards shall be applied in judging that the day of rest has actually been observed "in accordance with the requirements of his religious faith"? Religious belief and how one observes religious belief is a matter of private conscience protected by the First Amendment to the constitution. A careful reading of this exemption clause discloses that a good deal more is required of the one who observes Saturday as his day of rest than the one who observes Sunday because the former must prove his conscientiousness and actually refrain from any other activity.

It is within the concern of the state to legislate for the public welfare by prescribing work standards including maximum hours and conditions of work. However, the selection of a particular day of rest for all of the people of the state which may conflict with a religious commitment of others and which is imposed upon all by the state power is in violation of the spirit of religious freedom.

For these reasons the Milwaukee Jewish Council opposes Bill 362, S.

Aug.

August 20, 1963

JOINT RELEASE

On the centennial year of the Emancipation Proclamation the pledge of first-class citizenship and freedom for the American Negro remains tragically unfulfilled. This enormous gap between promise and actuality underscores the justifiable impatience with which Negroes are insistently demanding their full democratic rights now. As members of a group which has from time immemorial known oppression and felt the indignities of discrimination, Jews understand the frustrations experienced by our Negro fellow citizens. We share with them the determination to eliminate swiftly the injustices from which they suffer.

The forthcoming March on Washington for Jobs and Freedom on August 28th will demonstrate the deep commitment of a vast majority of the American people to the attainment of full equality for all. Our organizations, -- American Jewish Committee; American Jewish Congress; Anti-Defamation League of B'nai B'rith; Central Conference of American Rabbis; Farband-Labor Zionist Order; Jewish Labor Committee; Jewish War Veterans of the U.S.A.; Rabbinical Assembly; Rabbinical Council of America; Union of American Hebrew Congregations; Union of Orthodox Jewish Congregations of America; United Hebrew Trades; United Synagogue of America; Workmen's Circle; -- wholeheartedly endorse the March, as have the leading Protestant and Catholic agencies. We believe the March to be in the great tradition of peaceable assembly for a redress of grievances and therefore vigorously support local affiliates throughout the nation who desire to participate in this historic event.

The Jews have always been part of the eternal quest for human dignity and social justice for all mankind. Our devotion to this cause is rooted deeply in our religious and spiritual traditions and our social experience. A most appropriate means of expressing our ideals today, as Americans and as Jews, consists in joining together with all men of good will in this peaceful and lawful assembly for the realization of a more humane and democratic society.