

# civil liberties

NOVEMBER 1999

THE AMERICAN CIVIL LIBERTIES UNION NATIONAL NEWSLETTER



**IRA GLASSER**

*Executive Director  
of the ACLU*

**T**HE VISION OF LIBERTY that led to the adoption of the Bill of Rights over 200 years ago was idealistic, but deeply flawed. It imagined a nation where fundamental rights were inalienable and would be enjoyed by all human beings. But at the same time, it left out whole groups of people.

African Americans and American Indians were left unprotected by the Bill of Rights because

beliefs of the religious majority were everywhere imposed on public school students. And legalized racial segregation seemed invulnerable to change. The rights of other groups – like lesbians and gay men – were not even on the horizon.

Enter the ACLU. In 1920, a handful of Americans decided that an organization outside of government was needed to enforce the Bill of Rights. Their vision may have seemed delusional, but no more so than the vision of those who wrote the Bill of Rights in the first place.

For the first 30 years of the ACLU's existence, rights developed



**THE DAWNING** of a new millennium gives the ACLU an irresistible opportunity to look back to our beginnings 80 years ago, to measure how far we've come as an organization, and to imagine where we would like to be in 2020, the ACLU's centenary year. To help us with this task, we asked each member of the ACLU's national senior staff and our board president to write about the past, present and future of their programs.

As you read their words you will be impressed with the extraordinary role the ACLU has played, and continues to play, in one of the most important developments of the 20th Century: the recognition and institutionalization of individual rights in America.

We dedicate this issue of *Civil Liberties* to all of our members, and to the future generations of civil libertarians who will, as Ira Glasser writes, "carry the baton that others have carried before us" – the baton of freedom. *–The Editors*

***As we move into the next century,  
we bear a great burden but we are  
moved also by a great legacy.***

they were believed to be inferior beings. Women did not enjoy the fundamental right to vote for the first two-thirds of our bicentennium. And until the mid-1960s, most of the Bill of Rights did not even apply to state and local governments.

None of this was accidental. The Bill of Rights, though nobly generic in its words, had no visible means of support. No method for enforcing rights existed. Although in principle the courts were there to review unconstitutional acts of government, most victims of constitutional violations had no way to get into court because they could not afford to hire a lawyer.

Thus, it was not surprising that by January 1920 – 129 years after the Bill of Rights was ratified – the Supreme Court had never struck down any government action on First Amendment grounds. Women were still second-class citizens. The

slowly, as cases began to trickle into court and public opinion was influenced by an organized voice for civil liberties. Then, in one brief 20-year period, between 1954, when the Supreme Court struck down school segregation, and 1973, when the Court struck down laws making abortion a crime, most of the rights we now take for granted were established. First Amendment rights to free speech were enforced in the context of the civil rights and anti-war movements of the sixties; government-sponsored school prayers were struck down as an establishment of religion; equal protection of the laws was enforced for both women and racial minorities; the Constitution was held to apply to students, prisoners and mental patients; and the right to counsel, to a jury trial, and to be free from illegal searches were applied to **(cont. on p. 11)**

## Inside...

Volunteering for Civil Liberties ...	2
Winning Hearts and Minds .....	3
Preserving Enduring Principles ..	4
Defending Rights on Capitol Hill .....	5
Privacy in an Electronic Age .....	6
Building a Strong Infrastructure .	7
Fundraising for Liberty .....	8
Catalog .....	9-10

# Volunteering for Civil Liberties

**I AM INCREDIBLY PROUD** to be an ACLU volunteer and to be among the ranks of the many thousands of volunteers who make the ACLU run. It has often been said that the ACLU is the “largest law firm in America.” But in reality, the organization has only about 100 paid staff attorneys. While that is amazing compared to the handful of staff attorneys we had as recently as 30 years ago, it is still insufficient. Without the thousands of private, volunteer attorneys who work on our cases without fee, our organization simply would not be the formidable force that it is today.

The ACLU’s tradition of relying upon volunteer lawyers reaches back to our earliest days. Indeed, the case that put the ACLU on the map was *Tennessee v. Scopes*, the famous “Monkey Trial” of 1925, in which fundamentalist William Jennings Bryan squared off with Clarence Darrow, a volunteer attorney for the ACLU. Darrow was by then 68 years old and had won numerous high profile cases, including his successful defense of union leader “Big Bill” Haywood against Idaho murder charges in 1907. When Darrow volunteered to represent John Scopes, the biology teacher who had the temerity to teach his students about evolu-

tion, Roger Baldwin was thrilled to have such “an extraordinarily able lawyer” on board.

But lawyers are not the only people who volunteer for the ACLU. Our lay leaders come from all walks of life – including journalists, teachers, students, homemakers, retirees, engineers and scientists – and they are an integral part of every aspect of our organization. They debate and make policy on our affiliate and national boards of directors. They give interviews to reporters. They speak at schools, churches and rotary clubs all over the country. They write letters to the editors of newspapers. They lobby their state and federal lawmakers. They staff our affiliate and chapter offices. And, they raise money. It is not an exaggeration to say that we would be a pale shadow of ourselves if we did not have legions of unpaid volunteers supplementing the heroic efforts of our relatively small and underpaid staff!

As we move into the next century and towards the ACLU’s 100th anniversary in 2020, I know that the ranks of our volunteers will continue to grow. And I believe that our lobbying efforts will especially benefit from the increasing involvement of volunteers. We have a dedicated and inspiring staff of professional



**NADINE STROSSEN**

*President of the  
ACLU*

lobbyists in our Washington Legislative Office, but they are the first to say that without the active support of constituents, the ACLU would not have much clout with Members of Congress.

Our grassroots activists, many of whom are now connected to us via the Internet, are wonderful about responding to our “action alerts” asking them to communicate with Members of Congress. In fact, our field program is now so successful at marshalling the collective power of ACLU members and supporters that our lobbyists are frequently asked by Congressional staff to “call off the troops” after we have unleashed a particularly large barrage of faxes and email messages! Soon, with the addition of a campus organizer to our field staff to harness the enthusiasm and energy of young people, ACLU volunteers are going to be an even bigger force to be reckoned with in the future.

It has been an honor and a privilege to be an ACLU volunteer, and I look forward to continuing to serve in that capacity well into the 21st Century.  $\Delta$

## civil liberties

**President:** Nadine Strossen  
**Executive Director:** Ira Glasser  
**Editor:** May Jong  
**Graphic Designer:** Sara Glover

Photo of Ira Glasser by Bob Adelman.  
Photos of Nadine Strossen, Alma Montclair, Loren Siegel and Jan Scott by Tom Tyburski.

**CIVIL LIBERTIES** and its sister publication **ACLU SPOTLIGHT** (issued in the spring) are sent to all members of the American Civil Liberties Union. These are not subscription publications, and we do not accept unsolicited manuscripts or advertisements. For more information about becoming an ACLU member, please contact our membership department.

**CIVIL LIBERTIES** is the membership newsletter of the American Civil Liberties Union, published by the Department of Public Education, Loren Siegel, Director.

**American Civil Liberties Union**  
125 Broad Street, New York, NY 10004  
(212) 549-2500 • [www.aclu.org](http://www.aclu.org)

# Winning Hearts and Minds

**T**HE BATTLE FOR CIVIL liberties is in the arena of public opinion.” So said the ACLU’s first Legal Counsel, Walter Nelles, when he recommended to Roger Baldwin that the organization devote its then meager resources to publishing a civil liberties magazine, rather than to exclusively filing cases in court. Our archives from the 1920s, 30s and 40s, filled with pamphlets, special reports and other printed materials for public consumption, reflect those early priorities.

regarding the ACLU and our activities is even more widespread today due to the Internet. Through the World Wide Web, our contact with the public has increased exponentially. In that same month of June 1999, we logged an incredible 385,000 user visits on our award-winning website.

The result of our eight decades of public education is that the ACLU and the civil liberties values we uphold have become increasingly entrenched in the American people’s consciousness. In 1998, an

***Through the World Wide Web, our contact with the public has increased exponentially.***

Public education continues to be one of the ACLU’s most important activities today. Just to give you an idea of the sheer volume of our work: during the month of June 1999, the ACLU issued 47 news releases, beginning with the June 2nd announcement of our special report, *Driving While Black: Racial Profiling on Our Nation’s Highways*, and ending with our criticism of a House bill making it a crime for family members to help teenagers travel across state lines to obtain an abortion. In that same month, the ACLU was quoted or cited in 577 stories in hundreds of newspapers, from *The Albany Times Union* to *The Tacoma News Tribune*. This, of course, does not include the hundreds of television and radio appearances by ACLU spokespeople during the same month.

People’s desire for information

ACLU nationwide public opinion survey yielded some fascinating findings. We found out, for example, that nearly nine in ten have heard of the ACLU, a name recognition level unimaginable even two decades ago.

But in spite of our ever-expanding reach and the increasing sophistication of our communications strategy, the ACLU still has a lot of educating to do. Our survey contained some bad news along with the good. Americans cherish the Bill of Rights in the abstract, but they consistently stray from constitutional principles when confronted with specific applications. Support for “freedom of speech” is nearly universal; but when asked “should it be legal for a person to criticize the government publicly, no matter how extreme his or her views are,” 27 percent answered “no.” Religious liberty is popular



**LOREN SIEGEL**

*Director of Public Education*

in the abstract, but when asked, “Should public schools where a majority of children are Christians be allowed to begin the day with the Lord’s Prayer,” 74 percent responded “yes.” It’s evident that our work remains cut out for us.

And what about the future? We will witness so many technological leaps in the next two decades leading up to the ACLU’s centenary in the year 2020 that whatever vision we adopt today will undoubtedly seem quaint to the next generation of ACLU members. But in my vision of the future:

- An ACLU Bill of Rights curriculum will be taught in a majority of the nation’s middle and high schools.
- An ACLU-produced weekly radio show will air on stations nationwide.
- An Internet-based Civil Liberties News Service will deliver our most compelling client stories in print, audio or video form to people in every corner of the country in many different languages.
- A large advertising budget will allow us to compete with our opposition for the hearts and minds of the American people.

An ambitious agenda, perhaps, but with the strength of our nearly 300,000 members behind us, I am more than confident that it can be fully realized.  $\Delta$



# Preserving Enduring Principles

**W**HEN I JOINED THE ACLU as a staff attorney in 1976, there was concern that the landmark victories of the Warren Court might not survive a new conservative era. Roger Baldwin's response was both comforting and cautionary. "The march of history is towards more freedom, not less," he would say. However, he also knew that the struggle for civil liberties never ends, and that "the same battles must be fought over and over again."

The ACLU's legal program has reflected both continuity and change. During the past 80 years, the world has transformed, but our principles have endured.

In 1925, for example, the ACLU persuaded the Supreme Court that the First Amendment applied to the states. In 1997, we persuaded the Supreme Court that the First Amendment applies to the Internet.

Also in 1925, we enlisted the services of Clarence Darrow to help challenge Tennessee's ban on the teaching of creationism in the famous *Scopes* trial. Today, we are challenging the use of public funds to support religious education through school vouchers.

In 1929, the ACLU leaped to the defense of Margaret Sanger, the founder of Planned Parenthood, when she was banned from giving a speech in Boston about birth control. For the past 30 years, we have worked to establish and defend the right to reproductive freedom.

Within months of its founding in 1920, the ACLU challenged the government's right to deport immigrants without due process by issuing a blistering attack on the Palmer Raids. Today, immigrants once again face deportation without any

opportunity to go before a judge. We have led the battle to preserve this right to judicial review.

In 1935, the ACLU successfully overturned one of the convictions in the infamous *Scottsboro* case, arguing that blacks were systematically excluded from Alabama's criminal juries. Today, ACLU litigation around the country has helped to highlight the problem of racial profiling and discriminatory traffic stops.

Early in the century, black



STEVE SHAPIRO

Legal Director

And, while the ACLU leadership no longer spends as much time in jail as Baldwin once did, our commitment to humane prison conditions and to resisting the recent epidemic of incarceration has not wavered. We have argued numerous cases on behalf of prisoners' rights, and we have vigor-

*The world has transformed, but our principles have endured.*

Americans were denied the right to vote through poll taxes, literacy tests, and physical intimidation. Since passage of the Voting Rights Act in 1965, the ACLU has brought hundreds of cases challenging discriminatory voting practices. There are now more black and Latino elected officials than ever before, many of them as a direct result of ACLU litigation.

When Baldwin married in 1919, his marriage vows looked forward to the day when women were no longer "subservient" to men. The ACLU spearheaded the battle for women's equality in a series of landmark cases before the Supreme Court in the 1970s and 1980s that were inspired by the earlier victories of the civil rights movement.

The ACLU did not come to the defense of gay rights in the 1920s, but by the 1960s, we formally condemned discrimination against gays and lesbians. In 1996, the ACLU helped achieve the first constitutional victory ever for gay rights in the Supreme Court.

ously challenged the discriminatory enforcement of drug laws.

We are proud of our history but recognize the challenges ahead. For example, it is already clear that the technological revolution makes more information available to more people than ever before. That very fact encourages new efforts at information control, both by governments and the emerging czars of cyberspace.

Our country is also becoming increasingly diverse as we enter a new century. While this is cause for celebration, it puts pressure on America's most unstable fault lines. We are witnessing a backlash against the still incomplete effort to achieve racial justice, and the wall of separation between church and state is beginning to show cracks.

De Tocqueville once famously observed that all political battles in the United States are ultimately fought in court. The ACLU will be there in the future, as it has been in the past, defending the principles of liberty and equality. Δ

# Defending Rights on Capitol Hill

**I**N 1938, ROGER BALDWIN and his colleagues recognized the importance of planting the civil liberties flag in the nation's capital and hired a part-time staff member to monitor the activities of the federal government. Less than two decades later, in a time of "ferment and great tension," the ACLU hired its first full-time Washington director, marking "a significant advance in the Union's history," according to an ACLU annual report.

Since that first full-time director was hired in 1952, the ACLU's Washington office has grown and now has 27 full-time staff covering the entire range of civil liberties issues. We have eight staff members who lobby and two contract lobbyists who significantly impact the outcome of legislation affecting civil liberties.

Congressional offices have come to rely on the depth of our analysis and drafting assistance. We are repeatedly called to testify before congressional committees in both the House and the Senate and to provide comments to executive agencies.

We consistently work with both Republicans and Democrats and are respected for our ability to build and work with "strange bed-fellow" coalitions. Working to

defeat the so-called flag desecration constitutional amendment, for example, we scored significant gains through a coalition of hundreds of veterans. In defeating another proposed constitutional amendment to return organized prayer to the nation's schools, the ACLU successfully worked in coalitions that featured religious leaders. Representative Bob Barr, R-GA, recently praised us for our ability to work with him on privacy legislation while "continuing to cross swords" on the myriad of issues where we vehemently disagree. The ACLU, he said, "doesn't think within the confines of a narrow, ideological box."

Three years ago, we launched an aggressive and sophisticated communications effort to work with the media and ACLU members and activists around the country to help influence members of Congress. We now have a small, but extremely effective field staff that includes two traditional organizers and a cyber-organizer who works to activate users of the Internet. We will soon be adding a campus organizer to the field staff to mobilize the younger generation's passion for civil liberties.

Working hand-in-hand with our legislative staff, the communications team now generates tens of



**LAURA MURPHY**

*Director of the Washington Office*

thousands of letters and e-mails to members of Congress. In addition to those letters, we consistently produce op-eds and letters to the editor and work with the media nationwide to ensure that civil liberties issues before Congress are highlighted and reported accurately.

As the development of a new communications strategy suggests, changing political times require different responses. And as we enter the 21st Century, its modern civil liberties challenges – whether it is keeping Big Brother off our cell phones or keeping our genetic information out of law enforcement databases – will require us to continue finding new ways to supplement strong policy and legal analysis with creative methods of influencing Congress and engaging the American public.

The preservation of civil liberties in the next millennium will depend on our ability to continue to work with members of Congress of all political persuasions and, most importantly, to activate ACLU members and other allies who will help us repel the constant attacks on the Bill of Rights in Washington.  $\Delta$



## Make Your VOICE HEARD in Congress!

The ACLU Washington office makes it easy for you! We have a field team ready to help you advance civil liberties on Capitol Hill.

Send in this coupon to receive information on the ACLU Action Network and how you can get involved.

Name \_\_\_\_\_

Address \_\_\_\_\_

City, State, Zip \_\_\_\_\_

E-mail \_\_\_\_\_

Please contact me via  E-mail  Regular Mail

Please return this form to:

Field Department – AN, Washington National Office  
122 Maryland Avenue, N.E., Washington, D.C. 20002

# Privacy in an Electronic Age

**A**T THE ACCELERATED speed of “Internet time,” a year or two seems like a generation. Eighty years ago, when the ACLU was founded, most speech took place face to face or was conveyed on the written page. Radio and film were in their infancy. But now we are in the age of global communications. The Internet – a medium unlike anything that came

“harmful” on the Internet. Even if the government does not intervene to require content ratings and blocking, this privatized censorship will produce an Internet that is bland, homogenized and predominately commercial. Unpopular or idiosyncratic speakers will be rendered invisible to most users.

Second are threats posed to U.S. Speakers by other govern-



[BARRY STEINHARDT](#)

Associate Director

## *The ACLU intends to be a leader in the movement to take back our data.*

before – offers people limitless amounts of information and the ability to speak directly and instantly to audiences narrowly targeted or deliberately broad. The Internet is, in the words of the U.S. Supreme Court in *Reno v. ACLU* “...the most participatory form of mass speech yet developed.”

In *Reno*, our successful challenge to censorship provisions of the 1996 “Communications Decency Act,” the ACLU persuaded a unanimous Supreme Court that speech on the Internet was entitled to the highest constitutional protection. Through *Reno*, and the string of victories that followed, we have thus far succeeded in staying the heavy hand of government from curtailing free speech on the Internet.

But *Reno* and its progeny do not assure that the Internet will remain a free-speech zone in the next millennium. Two threats loom.

First is what some call the “co-regulation” of the Internet by government and private industry. Governments around the world, including in the U.S., are pressuring Internet service and content providers to rate speech and “voluntarily” block material which is

ments. The Internet is an inherently borderless medium in which the United States is becoming less and less dominant. By the time the ACLU is 100 years old, cross-border communications are likely to be more commonplace than conversations between neighbors across the fence. Americans will be directly impacted when the Chinese government jails dissidents who use the Internet to speak to domestic and international audiences – as it has – or when the Australian Parliament passes legislation – as it has – to block out predominately American speech that their official censors find repugnant.

New technologies also pose grave threats to personal privacy. From 1920 to the recent past, most personal information was stored on cryptic paper forms in clerks’ offices. Electronic surveillance was rare.

But sophisticated computer technology and distributed networks like the Internet have changed everything. Collections of data that were once dispersed in cubbyholes and file drawers are now consolidated in vast databases that are both comprehensive and instantly cross-accessible. Every

day, intimate private data – from medical records to sensitive financial information – are given by, or taken from, millions of people.

Justice Louis Brandeis’ warning in 1928, in the Supreme Court’s landmark wiretapping case, *Olmstead v. U.S.*, was prescient: “(t)he progress of science in furnishing the government with means of espionage is not likely to stop with wire-tapping.” Today, government is involved in ever-increasing levels of communications surveillance. Law enforcement demands new powers to tap e-mail and to use mobile phones as location tracking devices.

It is not only communications that are under increasing surveillance. Government and private industry collect massive amounts of genetic information. Video surveillance is a growing phenomenon. Banks routinely send our records to the federal government. And there are still no comprehensive federal laws protecting our medical or financial records.

Can anything be done to preserve personal privacy, or was Scott McNealy, the CEO of Sun Microsystems, correct when in a moment of candor, he said, “(T)here is no more privacy. Get over it?”

I, for one, do not think that privacy is dead, although it would certainly seem to be on life support. But if we are going to save privacy in the information age, it will take a citizens’ movement on a par with the environmental movement of the industrial age. The ACLU intends to be a leader of the movement to take back our data.  $\Delta$



# Building a Strong Infrastructure

**O**N THE EVE OF ITS 80th birthday, the ACLU would like to share with its members the progress we've made in building a management structure that promotes efficiency and aids in creating a solid financial base.

The Department of Administration and Finance was created 15 years ago to gather under one umbrella the areas of finance, human resources, operations, membership and information systems. This decision was based on the belief that money wasted or inefficiently used was like throwing donations away.

The creation of this department has resulted in many improvements. The ACLU has earned an excellent financial management reputation in the non-profit community and in fact has been consulted by several other organizations seeking to improve their own financial operation. Recently, a major foundation conducted an in-depth review of the financial health of the organization, including an evaluation of investment, administration and accounting procedures. The resulting report stated that "...the ACLU's financial management is excellent. Financial reporting is comprehensive and timely. The budget process is extensive, comprehensive and meaningful..." Based upon the positive report, the foundation made a substantial gift to the ACLU.

The ACLU has consistently met all the standards established by the National Charities Information Bureau, an organization that evaluates charities on standards such as board governance, programs, information, financial support and related activities, use of funds, reporting

and fiscal fundamentals. Included in the standard for "use of funds" is a requirement that the organization spend at least 60 percent of annual expenses for program activities. The ACLU, over the last decade, has not only met this standard but has exceeded it by more than ten percent.

In addition to the improvements in the finance department, we have integrated technological tools and advances into our work. Networks and the Internet have increased our efficiency and helped us to share information quickly, thus allowing us to respond to issues more quickly and comprehensively as they arise. Communicating with more than



**ALMA MONTCLAIR**

*Director of Finance*

Wide Web has been a great venue for public education and discourse on civil liberties, and has facilitated recruitment of new members. By collecting members' e-mail addresses, we are now able to keep them informed of actions being taken by the ACLU. We are mindful that it is critical to do all of this work with as much security as possible to protect our members' and the ACLU's privacy from electronic intruders.

Integral to future plans is a commitment to continue dedicat-

***The ACLU has earned an excellent financial management reputation in the non-profit community.***

50 affiliate offices throughout the country has changed from "snail-mailing" thousands of pieces of paper to electronic list distribution, which allows quicker and cheaper processing of messages. Our early presence on the World

ing resources to keep up with changing technology and to further develop the technological infrastructure throughout the organization, thus arming the ACLU with the tools to vigorously defend civil liberties.  $\Delta$

The ACLU defrays the cost of our new member recruitment by renting our list to other non-profit organizations and publications, but never to partisan political groups or to groups whose programs are incompatible with ACLU policies.

All lists are rented or exchanged according to strict privacy procedures recommended by the U.S. Privacy Study Commission. We never give our list directly to any organization; instead we send the list to a letter shop that prepares the mailing for the organization that is participating in the rental or exchange. That organization never sees our list and never knows what names are on it unless an individual responds to the organization's mailing.

The ACLU always honors a member's request not to make his or her name available. If you do not wish to receive materials from other organizations, write to the ACLU Membership Department, and we will omit your name from list rental and exchange. Thank you for your understanding.

# Fundraising for Liberty and Equality

**T**HE FINANCIAL SUPPORT of our members and donors is the fuel that keeps the ACLU's engine running. From the beginning in 1920, when 1,000 members paid dues of two dollars each and one committed volunteer, Albert DeSilver, provided the remaining support, the ACLU stretched every dollar further than most thought possible. But there were more battles to fight than dollars coming in.

Our membership grew as more people realized the need for the ACLU in the everyday protection of civil liberties. By 1965, 80,000 members were providing support to combat school-sponsored prayer, and for freedom of the press and civil rights. From educational speaking engagements to annual recognition events, people gathered to raise dollars to continue the work of the ACLU.

In 1967, the Roger Baldwin Foundation – renamed the ACLU Foundation a few years later – was created to provide a tax-deductible vehicle through which foundations and individuals could make larger gifts. These gifts, which came mostly from private foundations which made it possible for the ACLU to

meet new challenges in the arena of women's rights, reproductive freedom, prisoners' rights and voting rights in the South. But during the mid-1970s, the ACLU was hit by a financial crisis. At the same time, a new wave of religious fundamentalism swept the country and in 1980 captured the White House and U.S. Senate as well. It became clear that new sources of funding were required.

Six major donors stepped forward in 1978 to create the President's Committee, which established a professional fundraising department for the first time in the ACLU's history. Over the next ten years, giving increased tenfold as multiple challenges to our civil liberties were confronted in the courts and in the court of public opinion. Bequests became an important giving vehicle as donors began to think about continuing their support of the ACLU even after their death. Direct mail and membership dues played an important role in the expansion of the ACLU, which eventually led to the establishment of affiliate fund-raising programs.

As the sophistication and reach of our programs grew, fundraising



JAN SCOTT

*Director of Development*

kept pace. A group of visionary volunteers began to focus on the long-term financial health of the ACLU and proposed our first Endowment Campaign. The successful completion of the *Trust for the Bill of Rights* campaign this year (six months ahead of schedule) and the decision to set our sights even higher have demonstrated a shared awareness that the defense of civil liberties is a continual battle.

Our focus during the next century will be on expanding our use of technology to seek support for ACLU programs and projects, both in our affiliates and at our national headquarters. Identifying new civil liberties constituencies – and how to communicate with them – will be the next fundraising challenge we meet.

Above all, we are proud that we have been effective in meeting the unprecedented challenges of the past two decades, and grateful to our members and donors, whose commitment and support have made it possible. Δ

## Keep the flame of liberty alive for future generations!

Join *The DeSilver Society* by including the ACLU Foundation in your estate plans. For more information, call the Office of Gift Planning at (212) 549-2527.

### Yes, I want to help keep freedom's flame alive!

- Please send me information about joining the DeSilver Society.
- I have already included ACLU/F in my will or other estate plans.

Name \_\_\_\_\_

Address \_\_\_\_\_ City/State \_\_\_\_\_ Zip \_\_\_\_\_

Telephone \_\_\_\_\_ Best time to call \_\_\_\_\_

Please mail to: Planned Giving Program, ACLU/F, 125 Broad Street, New York, NY 10004.





**Special Reports**

**Affirmative Action/Racial Justice**

**Driving While Black: Racial Profiling on Our Nation's Highways** (1999) Item #2502. \$3

**American Drug Laws: The New Jim**

**Crow** by Ira Glasser. This speech on the state of race and drug policy in America was given at the 1999 ACLU Biennial Conference. Item #2504. \$3

**Reaching for the Dream: Profiles in**

**Affirmative Action** (1998) A publication from the California affiliates of the ACLU and other groups allows you to meet some Californians whose lives were enriched by affirmative action programs in education, employment and contracting. Item #2461. \$3

**Crime/Capital Punishment**

**False Premise/False Promise: The Blythe Street Gang Injunction and its**

**Aftermath** (1997) ACLU/Southern California's report on LA's flawed tactic to combat gang violence. Item #2455. \$3

**Fighting Police Abuse: A Community**

**Action Manual** (1997) How communities can combat police brutality. Item #9030. \$3

**Fighting Police Abuse: A Community**

**Action Manual** Spanish-language version. Item #9031. \$3

**The Case Against the Death Penalty by**

Hugo A. Bedau (1997) Item #9401. \$3

**HIV/AIDS Issues**

**HIV Surveillance and Name Reporting**

(1998) Report on recent efforts to infringe on medical privacy. Item #2451. \$3

**The Maryland Lesson: Conducting**

**Effective HIV Surveillance with Unique Identifiers** (1998) Item #2453. \$3

**Pre-Marital HIV Testing: A Record of**

**Failure** (1998) Item #2458. \$3

**HIV Partner Notification: Why Coercion**

**Won't Work** (1998) Item #2462. \$3

**AIDS in Prison Bibliography** (1998)

Compiled by the National Prison Project of the ACLU. Item #2501. \$10

**Privacy**

**Drug Testing: A Bad Investment** (1999)

ACLU survey of 10 years of research shows that workplace urine testing is not justifiable from a business perspective. Item #2503. \$3

**Big Brother in the Wires** (1998)

Wiretapping in the digital age. Item #2460. \$3

**Surveillance, Inc.** (1996) Workplace

privacy. Item #5050. \$3

**Free Speech/Censorship**

**Censorship in a Box** (1998) Censoring the

Internet in public libraries. Item #2459. \$3

**Fahrenheit 451.2: Is Cyberspace**

**Burning?** (1997) Ratings and censorship on the Internet. Item #2452. \$3

**A Step by Step Guide to Using the**

**Freedom of Information Act** Item #4002. \$3

**NOW AVAILABLE!**

**Bumper Stickers**

Take your activism on the road! Item #0002. \$3



**ACLU "Briefs"**

Whimsical boxer shorts with ACLU "brand" on backside. M (0003), L (0004), XL (0005). \$10

**ACLU Refrigerator Magnets**



Stylish magnets feature faces and the slogan, "Freedom is why we're here." Six to a set. Item #0001. \$5

**ACLU Position Papers**

Price: \$1 each (10 or more 50¢ each)

Item #

- 70000 **Freedom is Why We're Here: ACLU History, Mission**
- 70001 **Prisoner's Rights**
- 2122 **Affirmative Action**
- 2011 **Against Drug Prohibition**
- 2090 **The Bill of Rights: A History**
- 2020 **Church and State**
- 2070 **Freedom of Expression**
- 2012 **Freedom of Expression – Arts & Entertainment**
- 2085 **Hate Speech on Campus**
- 2095 **Gay, Lesbian, Bisexual and Transgendered People**
- 2123 **People with Disabilities**
- 2120 **Reproductive Freedom**
- 2092 **Rights of Immigrants**
- 2124 **The Death Penalty**
- 2096 **Racial Justice**

*Many Position Papers now available in Spanish!*

**ACLU Youth Handbooks**

Published by Puffin Books.

**The Rights of American Indians and Their Tribes** (1997) Item #1215. \$8

**The Rights of Women and Girls** (1998) Item #1217. \$9

**The Rights of Racial Minorities** (1998) Item #1218. \$9

**Video Freedom Collection**

**Created Equal: The Cheryl Summerville Story** (1998) A documentary calling for equal rights in employment for lesbians and gay men. VHS, 22 min. Item #9927. \$7

**Double Justice: Race and the Death Penalty** (1991) VHS, 19 min. Item #9910. \$10

**America's Constitutional Heritage: Religion and Our Public Schools** (1994) VHS, 34 min. Item #9915. \$5

**Through the Keyhole: Privacy in the Workplace – An Endangered Right** (1996) VHS, 13 min. Item #9925. \$7

**Special Video Offer!**

**As seen on PBS!**

**"The American Civil Liberties Union: A History,"** which chronicles the 80-year history of the ACLU, was produced especially for PBS by Florentine Films. Order a copy for **ONLY \$50** (regularly \$129). 55 min. Call Films for the Humanities for details at **800-257-5126**.

**Note Cards**

**ACLU Peace Quilt notecards.** The Boise, Idaho Peace Quilt Project presented the ACLU with this stunning quilt. 10 blank 5" x7" cards with envelopes. Item #0077. \$14/pack

**For Students and Teachers**

**"Ask Sybil Liberty"** Civil liberties issues from a student point of view. \$1 a copy (10 or more: \$0.25 each)

- 2308 **Keep Student Records Private**
- 2312 **Free Expression**
- 2314 **Fair Treatment** (Due Process)
- 2316 **Equality** (Equal Treatment)
- 2318 **Privacy & Personal Autonomy**
- 2319 **Religious Freedom**

**Through Our Eyes: Immigration**

**Unplugged.** ACLUF/Northern California 1996 field investigation. Item #2456. \$2

**PROJECT HIP HOP Resource for High School Students** (1997) ACLU of MA explores civil rights history. Item #2457. \$8

**ACLU Campus Organizing Manual** (1997) How to start a campus ACLU group. Item #2454. \$1

**Juvenile Justice Unplugged** ACLUF/Northern California 1997 field investigation. Item #2463. \$2

**New T-Shirt design!**

**Fight Censorship!** 100% cotton, black. Design as shown on front; web addresses on back. USA made. M (0305), L (0306), XL (0307) \$16, XXL (0308) \$18



There are a lot of good books out there.

That's why we invite you to check out our new book referral service: **ACLU Books of Interest**. Our frontlist includes new titles that we think are of great interest to civil libertarians. Our backlist features several old favorites including many former "ACLU Good Reads" selections. Access this new feature at our website: <<http://www.aclu.org>>

T-shirts

Freedom is Why We're Here

Two designs:

100% cotton, natural color. ACLU logo in blue on front, slogan in red on back.

USA made.

Adult Sizes M (0196), L (0197), XL (0198), \$13  
XXL (0199) \$15

**NEW!** 100% cotton, white. ACLU logo in blue on front, slogan in new red-and-blue American flag design on back. USA made.  
Adult Sizes M (0302), L (0303), XL (0304), \$13

You're Never Too Young to Fight for Your Rights

100% cotton, natural color, flag design, USA made.

Child Sizes S (0295), M (0296), L (0297) \$13

I ♥ Liberty

100% cotton, natural color, slogan in baby scrawl. USA made.

Infant sizes 12 mos. (0298) \$13  
24 mos. (0299) \$13

Tank Tops

Freedom is Why We're Here

100% cotton, white, spaghetti strap. Red and blue American flag design on front. USA made.

Adult Sizes M (0300), L (0301) \$13

Baseball Caps

100% cotton, pigment-dyed. Relaxed crown rises low on the forehead. Made in the Dominican Republic.

"Regular" (plain back) \$15

"Deluxe" ("www.aclu.org" on back) \$17

Cap Colors

Solid navy cap, cream lettering

Reg. (1911) • Deluxe (1912)

Khaki/navy brim, brown lettering

Reg. (1913) • Deluxe (1914)

Forest Green/khaki brim, brown lettering

Reg. (1915) • Deluxe (1916)

Solid charcoal gray cap, red lettering

Reg. (1917) • Deluxe (1918)

Coffee & Tea Mugs

**18 oz. "latte" mugs.** Dishwasher/microwave safe. White mug with stylish slogan in navy blue running along mug circumference, under the rim. \$8.50 each

"**Eternal Coffee is the Price of Liberty.**"

Item #0055

"**I Believe in Civil Liber-tea!**" Item #0056

Posters

**Bill of Your Rights. Celebrate It. Defend It. Use It** Poster-sized repro. of Bill of Rights. Item #8040. \$4.95

**Illustrated Bill of Rights** Whimsical poster by Lionel Kalish. Item #8030. \$9.95

**Which One Has Been Censored? - All of Them** 4-color poster displays 10 popular works censored in the US. Item #8010. \$9.95

**Another Woman for Choice** Poster image of the Statue of Liberty with this slogan. Item #8020. \$5

Good Reads

Books written by ACLU staff, about the ACLU, or covering issues of interest.

In Defense of American Liberties:

**A History of the ACLU** Samuel Walker. 2nd Ed. Item #8000. \$24.95

**Visions of Liberty: The Bill of Rights for All Americans** Ira Glasser. Item #7091. \$11.95

**Defending Rights: A Life in Law and Politics** Frank Askin. Item #7089. \$15

**Defending Pornography: Free Speech, Sex and the Fight for Women's Rights** Nadine Strossen. Item #7086. \$9.95

**Lesbians, Gay Men & the Law** William B. Rubenstein, ed. Item #7040. \$25

**Try this at Home! A Do-it-Yourself Guide for Winning Lesbian/Gay Rights Policy** Matthew Coles, Director, ACLU's Gay and Lesbian Rights Project. Item #7045. \$11.95

Rights of... Handbooks

**Aliens and Refugees** (1990) Item #1010. \$9.95

**Authors, Artists & Creative People** (1992) Item #1020. \$9.95

**Employees & Union Members** (1994) Item #1060. \$15.95

**Families** (1996) Item #1212. \$10.95

**Indians and Tribes** (1992) Item #1075. \$8

**Lesbians and Gay Men** (1992) Item #1077. \$9.95

**Older Persons** (1988) Item #1080. \$9.95

**Patients** (1989) Item #1100. \$10.95

**People who are HIV Positive** (1996) Item #1213. \$13.95

**People w/ Mental Disabilities** (1996) Item #1211. \$13.95

**The Poor** (1997) Item #1124. \$11.95

**Privacy: A Basic Guide to Legal Rights in an Information Society** (1990) Item #1200. \$11.95

**To Protest** (1991) Item #1120. \$9.95

**Public Employees** (1993) Item #1122. \$9.95

**Racial Minorities** (1993) Item #1125. \$9.95

**Women** (1993) Item #1171. \$9.95

**Government Information** (1985) Item #1190. \$5.95

**Religious Liberty** (1995) Item #1210. \$9.95

order form

To order publications, fill out and enclose with card info or check/money order payable to: American Civil Liberties Union.

Send to: ACLU Publications, PO Box 759, Swedesboro, NJ 08085. Credit card orders may be phoned in to

**800-775-ACLU** or faxed to **410-653-4137**

All orders must be prepaid.

We accept VISA, Mastercard and AMEX.

Name \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Phone Number \_\_\_\_\_

Qty.	Item #	Description	Cost
		Postage & handling*	
		TOTAL	

Credit card # \_\_\_\_\_  
Exp. Date \_\_\_\_\_

\*Please note our new postage and handling rates

Order total:	Shipping/handling
\$5 and under	\$3
\$5.01 - \$35	\$5
\$35 and above	\$7
Orders under \$2 will be shipped US Priority First Class Mail	
International orders: Add \$5 per item for S/H	

# Our Vision of Liberty *by Ira Glasser*

(cont. from p.1) state and local officials. In 1969, the gay rights movement was born.

These stunning victories awakened the Bill of Rights from its deep slumber after nearly two centuries. And although a number of organizations – especially the NAACP in the area of race – can take credit for some of the victories, no organization was as deeply involved in all of them as the ACLU. If the founders of the United States invented the Bill of Rights in 1791, the founders of the ACLU invented a way to enforce it in 1920.

But our victories were experienced as defeats by others, and in the mid-1970s our opponents began to organize resistance to the rights movements – and to the ACLU. By 1980, the resistance had captured the White House and the U.S. Senate, and spawned a politicized and lavishly funded religious fundamentalist movement that was determined to roll back most of our achievements. Soon, the Supreme Court itself was transformed by twelve years of unfriendly presidential appointments. For the past two decades, we have faced a full-scale, across-the-board assault on the values reflected in the Bill of Rights, on the victories won between 1954

and 1973 and on the vision of liberty and equality we share.

During the same period, against daunting odds, the ACLU grew and expanded, thanks to the generous support and firm commitment of its members and donors.

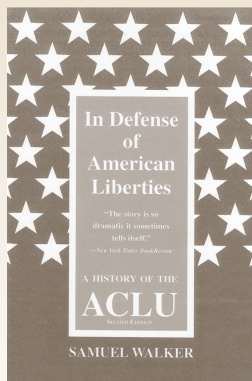
Perhaps most significant has been the growth of our local affiliates. Twenty years ago, more than 20 states had no staffed ACLU offices and there were fewer than 35 staff lawyers in the entire country. Today, we have 53 staffed offices and over 100 staff lawyers.

This is crucial, because civil liberties is a product that has to be delivered locally. When someone is denied an abortion in Nebraska, or illegally stopped by the police because of his race in Maryland; when a book or video is banned in Oklahoma, or a child told he cannot wear a Star of David to school in Mississippi; when a teenager is harassed in Washington because he is gay, or immigrants are denied basic rights in California, someone has to be there on the ground to do something about it. The growth of the ACLU's national programs of litigation, legislative lobbying and public education is thrilling and important, but without the simultaneous growth of an ACLU presence everywhere that people live, civil liberties victories would remain

inaccessible to most Americans.

As we move into the next century, carrying the baton that others have carried before us, we bear a great burden but we are moved also by a great legacy. Our vision, which seemed so unattainable at the beginning of the 20th century, moves into the 21st with a head of steam and a record of victories unimaginable in 1920. We know we cannot relax. We know these victories remain under sustained attack from formidable forces. And we know that the struggle to adapt 18th-century values to 21st-century conditions and technologies will be difficult, requiring wisdom as well as struggle. We also know that the vision of liberty and equality that we represent has always, from the beginning of American history, been at war with the reality of repression and subjugation based on race, sex, sexual orientation and religion.

But our progress since 1920 ought to make us confident. We should be confident that we will prevail because for 80 years we have prevailed. And we continue to look forward to that time, still distant but now so much closer, when it will be easy to speak freely, normal to be treated fairly and safe to be different from the majority – everywhere in America.  $\Delta$



## IN DEFENSE OF AMERICAN LIBERTIES

*A History of the American  
Civil Liberties Union*

This much-anticipated Second Edition by Samuel Walker recounts the ACLU's stormy history from its founding in 1920 through the present.

**Order now!**

Catalog and order form on pages 9-10.

(Southern Illinois University Press, 1999,  
494 pp.) Paperback. Item #8000. **\$24.95**



# civil liberties

NOVEMBER 1999

THE AMERICAN CIVIL LIBERTIES UNION

Non-Profit Org.  
U.S. Postage  
**PAID**  
Swedesboro, NJ  
Permit #31

## Looking for the Perfect Gift?

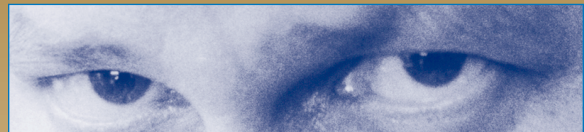
### *Review Your Stock Portfolio!*

If you are holding securities that have appreciated in value far beyond your original purchase price, you may want to consider the financial benefits of using these stocks or mutual funds when making your year-end gift to the ACLU Foundation.

- You receive a charitable deduction for the securities' full current value (if owned for more than one year)
- You bypass capital gains tax that would be due if you sold the stock

*For more information, please call:*  
**Geraldine Engel at (212) 549-2513.**

**And thank you for investing  
in the defense of liberty!**



Tired? Depressed?  
Anxious?

Don't let the millennial blues  
get you down.

**Get Active!**

Check out our award-winning website,  
[www.aclu.org](http://www.aclu.org)

and click on our  
**IN CONGRESS**

section. Sign up on our  
Action Alert List and participate  
in shaping democracy.