

ACLU

American Civil Liberties Union
Adapted by Jason McCoy

“We must remember that a right lost to one is lost to all. The ACLU remembers and it acts. The cause it serves so well is an imperative of freedom.” – William Reece Smith, Jr., former president, American Bar Association

INTRODUCTION

Dear newest ACLU lobbyists,

Welcome to the staff of the American Civil Liberties Union (ACLU)! The ACLU is an organization that devotes itself to the vital task of protecting the civil rights of American citizens. We are well known for defending the freedoms spelled out in the Bill of Rights, namely, freedom of speech, equal protection under the law, due process of law, and the right to privacy. The ACLU, however, also vigorously defends the post-Civil War **amendments** (the Thirteenth, Fourteenth, and Fifteenth) and the Nineteenth Amendment’s guarantee of women’s suffrage. More recently, we have placed a greater emphasis on extending and preserving the rights of individuals who belong to groups that traditionally encounter **discrimination**. Examples include people with disabilities, women, prisoners, minorities, homosexuals, and the poor. We at the ACLU regard ourselves as “our nation’s guardian of liberty” and therefore stand at the forefront of the fight to protect individual civil rights.

To be an effective lobbyist for the ACLU, you must not only carefully study the issue positions you support, but you must also become familiar with the arguments of your opponents. Many opponents charge that the ACLU is an organization that serves no purpose because the United States has always been a country in which citizens have enjoyed basic freedoms. Yet we find this view to be far too simplistic. The types of freedom we defend are not only the constitutional principles of life, liberty, and the pursuit of happiness, but also include the often endangered liberties of equality and fairness. We fight any form of **encroachment** upon civil rights, whether that means stopping an unjust law in Congress or demanding that Congress pass a law to safeguard civil rights against private organizations that might threaten them.

Controversy constantly surrounds the ACLU. We take difficult positions on tense issues and fight **contentious** battles. Such debates almost always become heated, as passions flair and personal feelings emerge. You cannot shy away from such outbursts. Rather, you must



Harvard Model
Congress Asia

A m e n d m e n t s —
Statements formally altering or adding to a document or record.

D i s c r i m i n a t i o n —
Treatment or consideration based on class or category rather than individual merit; partiality or prejudice.

E n c r o a c h m e n t —
The act of advancing beyond proper or formal limits.

C o n t e n t i o u s —
Quarrelsome; showing an inclination to disagree.



jump into the fray and make sure the most fervent voice in the room is that of the ACLU calling for freedom and equality.

Our primary goal is to protect the freedom of speech, regardless of what message is being conveyed. In the past, we have defended the right to produce pornography, the right to burn the American flag, and the right to march in city parades displaying Nazi regalia. It is essential to keep in mind that we are not defending the content of these expressions of free speech, rather the principle that citizens have the right to express their ideas. One of the founding principles of the ACLU is that any nation can tolerate widely held or mild views, but only a truly free and just society can withstand the expression of views that seem to fly in the face of that very same freedom.

Garnered—*Acquired; retained.*

Your service is needed more than ever in today's political climate. While the ACLU has traditionally **garnered** the support of the Democratic Party, Republicans currently control the White House and maintain a strong influence in both houses of Congress. Thus, you will need to be especially skillful to gain the wide support we need for our legislation. Try to be logical in your approach to lobbying. We can make no progress on promoting our agenda if we do not secure the backing of both our traditional friends, the Democrats, and our traditional foes, the Republicans.

As an ACLU lobbyist, you should appeal to congressional members' desire to preserve freedoms and remind them of the gravity of any action that limits the freedom of expression. Strive to speak with the voice of their collective conscience and a sense of justice and equity. The fact that you represent more than 500,000 ACLU members and like-minded thinkers is the basis of your strength. Be persistent and creative in your persuasive tactics. Remember, until the moment that a congressional member casts a vote on the issue in question, his or her beliefs are still open for discussion.

Topics of critical concern to the ACLU will come to the forefront of debate in this session of Congress. In the past, these issues have included flag burning, gay and lesbian rights, and school prayer. To safeguard the civil rights of all American citizens, we will need to take an aggressive position on these issues and act as a unified lobbyist organization. We must act as a team, sketching out a plan of attack and enacting that plan as a group. Each lobbyist will need to take an active part, whether it be researching, writing letters to representatives during full session votes, bringing party leaders together for discussion of these key issues, or testifying in committees. These campaigns will require both a team effort and your personal hard work during all stages of the conference. We at the ACLU are confident that if we focus our efforts on these most important issues, we can protect the civil rights that make the United States of America a free and equitable nation.



HISTORY

The ACLU is particularly proud of its rich history. Activist Roger Baldwin founded our organization in 1920, a time when civil liberties were especially in **jeopardy**. Citizens sat in jails for their anti-war views. The US Attorney General conducted raids upon **aliens** suspected of holding unorthodox opinions. **Racial segregation** was the law of the land, and violence against blacks was rampant. Gender-based discrimination was firmly institutionalized – it was not until that year that women even gained the right to vote. Constitutional rights for homosexuals, the poor, prisoners, mental patients, and other marginalized groups simply did not exist. Perhaps most significantly, the Supreme Court had yet to uphold a single free speech claim under the First Amendment.

A great deal has been accomplished since 1920. We have dedicated ourselves to fighting the battles of these oppressed groups and continue to do so. Over the past 80 years, we have been the voice of freedom in great debates such as in the famous Scopes “Monkey” Trial (which concerned the teaching of evolution in public schools), censorship, **Japanese-American internment** during WWII, civil rights, school desegregation, the Watergate scandal, and voting rights.

Since its founding, the ACLU has expanded greatly. We have official organizations in all 50 states and a national board of 84 directors. We have major regional offices in Atlanta and Denver and local offices throughout the country. We have over 60 staff lawyers and thousands of volunteer lawyers who assist in the arguing of thousands of cases each year. In fact, no other organization – except the **US Department of Justice (DOJ)** – argues more cases in front of the US Supreme Court annually. Furthermore, we carry out all of our activities without any federal funding. Our support comes primarily through membership dues, private donations and grants; no government money funds ACLU activities. Our size is not only a testament to our strength, but also to the continuing necessity of civil rights protection. Racial discrimination still exists. Women still earn less than men on average. Censorship continues to be widely practiced on many levels. There are many battles still to be won.

As a lobbyist for our organization, your charge is to influence lawmakers before they create an unjust law – and to pressure them to enhance existing protection of political freedoms. It is important, however, that you understand the roots of the ACLU. They are at the base of our mission and goals, which are outlined below.

Jeopardy—*peril or danger*

Aliens—*used here, a noncitizen; an unnatural foreign resident of a country.*

Racial segregation—*The practice of separating people solely on the basis of their race.*

Japanese-American internment—*Non-voluntary confinement of Japanese-Americans which occurred during World War II.*

US Department of Justice—*The primary federal criminal investigation and enforcement agency of the United States.*



BELIEFS AND ISSUES

The mission of our organization, broadly defined, is to ensure that the freedoms established in the Bill of Rights are preserved for future generations. Along with many other issues, we fight for:

First Amendment rights – freedom of speech, freedom of association, freedom of assembly, freedom of the press, and freedom of religion supported by the strict separation of church and state

Equal protection under the law – equal treatment regardless of race, sex, religion, or national origin

Due process of law – fair treatment by the government whenever the loss of liberty or property is at stake

The right to privacy – freedom from unwarranted government intrusion into personal and private affairs

These constitutional protections are at risk in a wide variety of specific situations. Lobbying for the ACLU involves acquainting yourself with a variety of issues involving civil rights abuses. Specifically, you should familiarize yourself with our many different “projects,” groups of people who dedicate their work towards a cause. Currently, there are more than fifteen such projects addressing issues as varied as cyber-liberties, the death penalty, privacy, national security, reproductive rights, and workplace rights. Additionally, we continue to fight for specific groups whose civil rights are constantly threatened, promoting women’s rights, religious liberty, lesbian and gay rights, and racial equality. With such diverse and numerous projects, it is extremely important that you, as a staff member, are well versed on these topics. To familiarize yourself with the many different ongoing projects, visit the ACLU website at <http://www.aclu.org>. You will find this to be an invaluable resource.

Due to the diverse nature of the ACLU’s 15 projects, it is likely that you and your fellow staff members will be in high demand at the conference, especially in comparison to other more topic-based lobbyist groups. As such, it will be important to your success to keep firmly in mind the beliefs of the ACLU, and be prepared to speak on several issues that call into question the protection of civil liberties. That is, an issue may seem unjust or “wrong,” but for the ACLU to become involved, it is important that there be some violation of the rights of an individual or group.



HOT TOPICS

Guantanamo Bay

President George W. Bush's administration has claimed authority to hold detainees at the Guantanamo Bay military facility in Cuba. President Bush maintains that as "enemy combatants," the foreign detainees do not necessarily have--nor deserve--the several rights guaranteed to **incarcerated** citizens under the **Geneva Convention**. In this context, the detainees are currently being held without charge, trial, or right to counsel as a result of their alleged involvement in terrorist activities. Though the Iraq War did not come from a formal declaration of war by the Congress, President Bush received authority from Congress to employ military force overseas. It is from this authorization that the Administration justifies its detainment of these "enemy combatants." The ACLU has constantly and consistently held that this detainment, even if authorized by Congress, is absolutely unconstitutional. They further maintain that the treatment of the prisoners at this facility violates certain provisions of the Geneva Convention.

Protecting the Rights of Illegal Immigrants

The ACLU believes that the US government has a responsibility to protect the rights of immigrants seeking **asylum**. Though the Constitution does not give immigrants the right to enter the United States, it does give them all the rights of other citizens once they do enter the country. Specifically, the ACLU pushes the US to protect the rights of those immigrants whose illegal status has led to their victimization, especially when it comes to **human trafficking** cases. Most notably, the ACLU filed a lawsuit in 2004 against the management of the Broadway Plaza Hotel in New York City on behalf of five Latina housekeepers, claiming that the hotel was violating their rights protected by **Trafficking Victims Protection Act** of 2000. On the issue of trafficking in general, the ACLU is on the side of the trafficking victims and immigrants and would likely oppose any efforts to punish the trafficked victims or tighten immigration laws.

Gun Control

The national ACLU is technically "neutral" on the issue of gun control. In other words, the ACLU believes that the Constitution contains no barriers to reasonable regulations of gun ownership. They tend to view it like vehicle registration; if we can license and register cars, then we can license and register guns. Moreover, the ACLU believes that the constitutional right to bear arms is primarily a collective one. In

Incarcerated—*imprisoned*

Geneva Convention—*One of a series of agreements first formulated at an international convention held in Geneva, Switzerland, in 1864, establishing rules for the treatment of prisoners of war, the sick, and the wounded.*

Asylum—*A place of offering protection and safety; a shelter.*

Human trafficking—*an extreme form of labor exploitation where women, men and children are recruited or obtained and then forced to labor against their will through force, fraud or coercion.*

Trafficking Victims Protection Act—*A law enacted in 2000 which increased protection to victims of human trafficking.*



today's world, the idea of owning a weapon more powerful than a handgun or hunting rifle is **anachronistic**. The ACLU feels that the Second Amendment does not absolutely confer an unlimited right upon individuals to own guns or other weapons, nor does it prohibit reasonable regulation of gun ownership. The Second Amendment applies to the preservation and efficiency of a well-regulated militia for the states. The ACLU consistently cites the precedent set in *US v. Miller* (1939), that except for lawful police and military purposes, the possession of weapons by individuals is not constitutionally protected.

English as National Language

The ACLU is against establishing English as the national language of the United States. They cite that in the past, "English-only" laws have resulted in more difficulty for immigrants or other non-English-speaking citizens. For example, under such conditions, road signs and other service guidelines would not be required to be translated into other languages. A full ten percent of the US population speaks Spanish at home as a result of the large Mexican-American population in the southern United States, and the ACLU argues that "English-Only Laws...can abridge the rights of individuals who are not proficient in English, and...they perpetuate false **stereotypes** of immigrants and non-English speakers."

Sex Offender Database

The ACLU has never been fully supportive of the application of different **sex offender registry** laws in several different states. The ACLU has never spoken against the registry on its own, but it has filed several lawsuits and drafted a variety of memos concerning the severity of the restriction associated with the registry as well as its application to apprehend criminals. For example, in Georgia, state lawmakers were considering using the registry to enforce a law mandating that no sex offender live within 1000 yards of a school bus stop or church. The ACLU argues that many of the people affected by such a law are low-level sex offenders who committed their offense in their youth. The ACLU has argued that many sex offender registries unfairly use a blanket treatment against all sex offenders regardless of the nature of the offense or when it was committed. It is true that many offenders appear on registries as a result of consensual sex from their youth, and the ACLU uses this group as a basis for its arguments against the restrictiveness of certain states' sex registries laws.

Anachronistic—Used here, the idea that something is outdated or no longer necessary.

Stereotypes—Conventional and oversimplified conceptions of people.

Sex offender registry—A publicly-accessible database which includes information of all registered sex offenders in an area.



CONCLUSION AND SUGGESTIONS FOR FURTHER RESEARCH

Your role as protector of civil rights is an invaluable one. We count on you to fight tirelessly for the civil rights of American citizens and to advocate for the broad freedoms that democracy promises. While you may think that the elected officials with whom you will work are mindful of such issues, you will be surprised how often they will attempt to deny basic personal freedoms on the basis of a “societal good.” Such reasoning quickly creates an oppressive community. Politicians often focus more on the short-term, thinking only as far ahead as their next election. It is your job to remind them of the democratic principles and liberties upon which our great nation was founded and that they have been elected to uphold.

How effective you will be as a member of the ACLU’s lobbying staff is up to you. Decision makers in the House and Senate are gluttons for information. Intelligent arguments and well-researched presentations can easily sway a member who is on the fence. The best lobbyist is not the one who speaks with the loudest voice or knows the most people, but rather the one who provides new and insightful information. The ACLU implores you to carefully read and research your assigned topics. If you come to the conference armed with new information to support the ACLU’s cause, you will find yourself in a position to help both the organization and society at large. Your task is by no means an easy one. But if you truly commit yourself to the cause and ideals of our organization, you will find it to be an immensely rewarding experience.

For more information, please go to: <http://www.aclu.org>.

BIBLIOGRAPHY

“ACLU: American Civil Liberties Union.” <<http://www.aclu.org>> November 9, 2007

“ACLU of Massachusetts Celebrates Vote to Preserve Marriage Equality,” ACLU, June 14, 2007 <<http://www.aclu.org/lgbt/relationships/30143prs20070614.html>>

Dictionary.com. *The American Heritage® Dictionary of the English Language, Fourth Edition*. Houghton Mifflin Company, 2004. <<http://dictionary.reference.com/browse/libertarian>>. (Cited on March 18, 2008).



“English- Only Amendment Would Endanger Lives, Discriminate and Create ‘Second-Class’ Citizens, ACLU says.” American Civil Liberties Union. May 7, 2007 <<http://www.aclu.org/immigrants/gen/30033prs20070607.html>>

Goering, Susan. “ACLU of Maryland Voices "Continued Concerns" Over Sex Offender Registry Website.” ACLU: April 22, 2002. October 26, 2007 <<http://www.aclu.org/privacy/gen/14825prs20020422.html>>

"Gun Control." American Civil Liberties Union webpage. March 4, 2002. October 28, 2007 <<http://www.aclu.org/police/gen/14523res20020304.html>>

Hentoff, Nat. Letter. “Two Cheers for the ACLU.” The Washington Post. March 3, 1990: A25

“Human Trafficking: Modern Enslavement of Immigrant Women in the United States.” American Civil Liberties Union. <<http://www.aclu.org/womensrights/humanrights/29998res20070531.html>>. (Cited March 18, 2008).

“Law Schools Shouldn't Be Forced to Accommodate Military Recruiters, Says ACLU.” American Civil Liberties Union. <<http://www.aclu.org/scotus/2005/rumsfeldv.fair041152/22304prs20051206.html>> (Cited May 31, 2006)

