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I.

Introduction and Overview

This Handbook provides facts and figures about each of the 1,193 ACLU U.S. Supreme Court cases during the ACLU's first 100 years. Additionally it provides an encapsulated overview of three U.S. Supreme Court cases. These three sampled cases are part of a much larger analysis of all 1,193 ACLU Supreme Court decisions. Each of the 1,193 decisions are presented in the companion three-volume compendium.

The American Civil Liberties Union (ACLU or Union) grew from the seeds of social activism in 1917 and was born in January 1920. During its existence, the ACLU has been a lightning rod for controversy, not least because the cases it championed involved American's most cherished civil rights.

Legitimate disagreements result from a discussion of American civil rights: from freedom of the press (is press freedom unfettered or subject to restraints?), to free speech (who has it? when can they use it? are there any limitations on it?), to equal protection (who gets to expect equal treatment? what is equal treatment given economic, gender, age or racial differences?). The ACLU was established to, and has, inserted itself squarely in the midst of these and other Constitutional controversies.

I first became involved with the ACLU when I joined the Board of the ACLU Foundation of Southern California in 1979. I often asked two questions about the ACLU: (1) what did they do, and; (2) how did they do it. Their 62-word bylaws provided some insight:

“The objects of the American Civil Liberties Union shall be to maintain and advance civil liberties, including the freedoms of association, press, religion, and speech, and rights to the franchised, to due process of law, and to equal protection of the laws to all people throughout the United States and its