American Civil Liberties Union Records, 1864-2011 (bulk 1917-1995): Finding Aid

Subgroups 2 and 3 of the ACLU records were processed with the generous support of the National Historical Publications and Records Commission (NHPRC).

Summary Information

Call number: MC001
Size: 4,207.37 linear feet 5,727 boxes, 1886 volumes, and 288 reels of microfilm
Language(s) of Material: English
Abstract: The American Civil Liberties Union (ACLU) is the pre-eminent civil liberties organization in the United States, utilizing litigation, lobbying, and public education to defend and preserve the individual rights and liberties guaranteed by the U.S. Constitution. These records document the administration and work of the ACLU's national office, regional offices, and legal projects, with particular emphasis on the areas of civil rights, children and women's rights, freedom of speech (and all First Amendment questions), and due process, among many others. The records include case files, correspondence, meeting minutes, research files, and files of staff members. Portions
of the records (Subgroup 1; Subgroup 2, Series 2, 3, and 4; Subgroup 3, Subseries 5B) have been digitized and are available for members of the Princeton community to view here. To view the database from outside Princeton University, please see the Guide to the American Civil Liberties Union Records.

Location: FOR DIGITIZED CONTENT: Please see the American Civil Liberties Union Records Guide.
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The American Civil Liberties Union (ACLU) is the pre-eminent civil liberties organization in the United States, utilizing litigation, lobbying, and public education to defend and preserve the individual rights and liberties guaranteed by the U.S. Constitution. Since its inception in 1920, the ACLU has played a part in nearly every significant American social or political issue in the 20th and 21st centuries. Its primary aims have been the defense of the freedoms of speech and press, the separation of church and state, the free exercise of religion, due process of law, equal protection of the law, and privacy rights of all citizens.

The ACLU was established in 1920 to protect the constitutional freedoms granted in the Bill of Rights. It grew out of the Civil Liberties Bureau of the American Union Against Militarism (AUAM), which defended the rights of conscientious objectors and the free speech rights of war protesters. In October 1917, this group became an independent organization, the National Civil Liberties Bureau (NCLB), led by Roger Baldwin and Crystal Eastman. They formed the ACLU on January 19, 1920 to address postwar civil liberties violations and to secure amnesty for wartime dissidents, with Baldwin serving as executive director.

Throughout the 1920s and 1930s, labor and political speech issues predominated, along with resisting all forms of censorship and working for amnesty and the repeal of criminal syndicalism laws. Its highest-profile case during this time was to challenge the Tennessee law forbidding the teaching of evolution by defending John T. Scopes in the famous Dayton, Tennessee "Monkey Trial." Following the outbreak of war in Europe in 1939, its focus returned to conscientious objection and freedom of speech during wartime, and to condemning the internment of Japanese aliens and Japanese-American citizens, and then to combating postwar attacks on civil liberties through the House Un-American Activities Committee (HUAC), the Smith Act, state loyalty oaths, and Federal Bureau of Investigation (FBI) surveillance. The ACLU also established committees to address racial discrimination and discrimination against women during this period.

Beginning in 1950, the ACLU experienced significant growth and change. Roger Baldwin, who fostered a small, centrally-controlled unit, retired as executive director in 1950 to take a more ambassadorial role. His successor, Patrick Murphy Malin, oversaw a change in the ACLU's structure to a strengthened network of affiliates at the state and regional levels, which monitor for civil liberties infringements and initiate cases in their geographic areas. Largely due to the stronger affiliates, the ACLU grew significantly and reached over 60,000 members by 1962, when John de J. Pemberton became executive director. During this period, the ACLU was also continuously renegotiating the scope and nature of its work, reconciling the multitude of views from affiliates and members. Starting with the civil rights movement, those that favored a broad definition of what constituted civil liberties work won out, as the organization took on cases involving abortion rights, women's rights, affirmative action, and other areas far from the basic principle of protecting First Amendment rights on which the ACLU was founded.

During the 1950s, the ACLU came to the defense of Communists as it challenged the actions of McCarthy and HUAC on the tenet that only peoples' acts, not their beliefs, should be penalized; anything less infringed on First Amendment principles. A related battle was fought over censorship and freedom of speech, as national security concerns led to the desire to protect people from materials that promoted Communism or were perceived to erode community morals. The ACLU challenged any censorship attempts as a fundamental attack on free speech and accepted no infringement in any form. This absolutist stance resulted in one of its most controversial cases,
defending the right of American Nazis to parade through Skokie, Illinois, home to many Holocaust survivors, in 1977. The ACLU won the court case but lost a large portion of its membership who resigned in protest. Executive director Aryeh Neier, who had assumed the post in 1970, stepped down and was replaced by Ira Glasser, who stabilized the organization through an emergency appeal to supporters that raised over $500,000.

Another significant, and sometimes controversial, area of work for the ACLU in the 1950s was its efforts to enforce the separation of church and state. Working to end state-sanctioned forms of religion, the ACLU sought to abolish school prayer, various government subsidies for religious education, teaching religious concepts such as creationism or intelligent design in public school science classes, and other connections between government and religious activity. By the late 1960s, changes in public attitude toward church/state issues cemented the organization's gains, although fundamentalist religions continue challenging the laws.

Most of the ACLU's work from the 1950s onward involves the more ambiguous and complex realm of civil rights, helping secure the rights or expanding the concept of those same rights for those who had been denied them in the past such as African-Americans, women, students, homosexuals, children, the mentally-ill, prisoners, and the accused. Projects were established to address each issue through changing the law, educating the public, and raising their own funds. The ACLU participated in all the major civil rights cases, arguing for freedom of speech and association rights that allowed the sit-ins, freedom rides, and other methods employed by the movement, and won many important cases before the Supreme Court.

During the 1980s and 1990s, the ACLU faced a shift in public sentiment against its views, to the point that ACLU membership was identified as out-of-the-mainstream, and it became more difficult to secure Supreme Court victories. The ACLU re-fought a number of battles over such issues as censorship, school prayer, creationism, and abortion rights. In 2001, Anthony D. Romero succeeded Glasser as executive director. As of 2012, the ACLU continues its program of litigation, lobbying, and public education to protect Americans' Constitutional rights, focusing on First Amendment rights, equal protection under the law, due process, and privacy, and working to extend rights to minorities that have traditionally been denied them. The ACLU handles close to 6,000 cases annually and appears before the United States Supreme Court more than any other organization except the U.S. Department of Justice.

The ACLU has been responsible for what historian Samuel Walker has called "a revolution of law and public attitudes toward individual liberty." Walker estimates that modern constitutional law has been shaped in no small measure by the ACLU, with the organization involved in some 80% of the landmark cases in the twentieth century. The ACLU has fostered the growth of tolerance, fought to end racial discrimination, promoted a legal definition of privacy rights, and defended the rights of the unpopular, the powerless, and the despised.

Description

These records document the administration and work of the ACLU's national office, regional offices, and legal projects, with particular emphasis on the areas of civil rights, children and women's rights, freedom of speech (and all First Amendment questions), and due process, among many others. The records include case files, correspondence, meeting minutes, research files, and files of staff members. A large portion of the records are related to the numerous cases that the ACLU was
involved in on a wide range of civil liberties issues. Records are included from the national office, ACLU projects, notably the Arts Censorship Project, Capital Punishment Project, Children's Rights Project, Reproductive Freedom Project, and Women's Rights Project, and the Mountain States Regional Office, Southern Regional Office, and Washington Regional Office.

Access and Use

Access

This agreement describes the limits on access to portions of the American Civil Liberties Union Records as provided by paragraph six of the agreement between the American Civil Liberties Union and the Princeton University Library dated on March 1993. These restrictions may be revised from time to time at the initiation of either party.

Consistent with its support of freedom of information and informed public discourse on matters of public interest, the American Civil Liberties Union Records will be completely open to researchers. However, sections of the Records shall be closed for stated periods of time to protect privacy, confidentiality, and attorney-client privilege. The following categories of records shall be restricted as indicated below:

Personnel Records - Records which deal with personnel issues, whether in personnel files or in other files maintained by the ACLU shall be closed during the lifetime of the person to whom they apply. When scattered personnel records are present in open files, they shall be governed by this paragraph. This restriction shall not apply if the person or persons to whom the record applies have given their permission in writing to disclose said information.

Administrative Records - Records maintained by ACLU administrators (Board and Executive committee members, officers, executives, department heads, project directors, etc.) shall be closed for twenty years after the creation of the record or ten years after its deposit in the Princeton University Library, whichever is later, but in no case for more than 30 years after the creation of the record. Personnel records will continue to be closed as provided above.

Development Records - Records relating to financial support from foundations or other legal entities but not individuals or their family foundations shall be closed for the same period as administrative records. Records relating to financial support by individual donors or their family foundations shall be returned to the ACLU if other more substantive issues relating to policy are not raised by the correspondence. When other issues are relevant, these records shall be closed for the same period as administrative records. Where opened the portions relating to individuals or their family foundations shall be treated like personnel records as provided below.

Legal Case Records - Legal Case Files shall be segregated into four categories:

1) Open Records - publicly-available materials relating to the case (public court records such as briefs, transcripts, exhibits, and judgments as well as other records such as press releases and media coverage) shall be open immediately upon transfer to Princeton.

2) Work Product Privileged Records - correspondence, memoranda, drafts of briefs prepared in anticipation of litigation, written statements of witnesses, and notes of mental impressions or personal recollections prepared or formed by an attorney shall be open twenty years after the closure of the case.
3) Attorney-Client Privileged Records - any document reflecting an exchange with a client or a potential client (including but not limited to written correspondence, memoranda to the file, notes, or any other report of communication to or from a client or potential client) made for the purpose of furnishing or obtaining professional legal advice and assistance shall be closed for seventy-five years for all clients, except for children where the period of closure shall be one hundred years.

4) The access rules set forth above do not apply to the following materials: classified documents; documents that have been placed under seal by a court or are subject to a protective order; documents that identify by name or otherwise clients that have been represented anonymously or pseudonymously; the terms of any confidential settlement or agreement. All such documents shall remain permanently closed unless the records are declassified, unsealed, the protective order is modified, or the client or the client's legal representative waives the privilege in writing.

Restrictions on Use and Copyright Information

Single photocopies may be made for research purposes. For quotations that are fair use as defined under U. S. Copyright Law, no permission to cite or publish is required. For those few instances beyond fair use, researchers are responsible for determining who may hold the copyright and obtaining approval from them. Researchers do not need anything further from the Mudd Library to move forward with their use.

Physical Characteristics and Technical Requirements

Materials in MC001.03.05 in Box 4506 have been treated for mold; however, materials may still be fragile and exhibit signs of damage. Researchers should exercise caution when handling these materials. Not all materials were salvaged.

Other Finding Aid(s)

The American Civil Liberties Union records have been divided into four subgroups, many of which have multiple finding aids. This finding aid can be used to search across all ACLU records; a list of finding aids is below:

- American Civil Liberties Union Records: Subgroup 1, The Roger Baldwin Years, 1917-1947
- American Civil Liberties Union Records: Subgroup 2, Organizational Matters Series, 1947-1995
- American Civil Liberties Union Records: Subgroup 2, Project Files Series, 1964-1979
- American Civil Liberties Union Records: Subgroup 2, Subject Files Series, 1921-1990
- American Civil Liberties Union Records: Subgroup 2, Legal Case Files Series, 1933-1990
- American Civil Liberties Union Records: Subgroup 2, Printed Materials Series, 1917-1995
- American Civil Liberties Union Records: Subgroup 2, Audiovisual Materials Series, circa 1920-1995
- American Civil Liberties Union Records: Subgroup 3, Subject Files Series, 1969-1996
For an overview of the entire ACLU collection, instructions on searching the collection and requesting materials, and other information, please see the Guide to the American Civil Liberties Union Records.

Provenance and Acquisition

Materials are transferred from the ACLU annually.

Appraisal

Development records, personnel records, confidential legal records, and mold-damaged records were separated from the collection during processing.

Location of Copies or Alternate Formats

Portions of the ACLU Records have been digitized. To find out where to access digital content, please see the American Civil Liberties Union Records Guide.

American Civil Liberties Union Records: Subgroup 1, The Roger Baldwin Years is available in digital format at certain institutions, as well as on microfilm.

Public records of the ACLU from 1917 to 1989, from American Civil Liberties Union Records: Subgroup 2, are available in digital format at certain institutions, as well as on microfilm. These records include minutes of the board of directors, mailings to the board of directors, biennial conference papers, policy guides, the national legal docket, organization manuals, constitution and bylaws, legal briefs, and publications.

American Civil Liberties Union Records: Subgroup 3, Regional Offices Files Series, Subseries 5B, Southern Regional Office, has been digitized and is also available to members of the Princeton community or through certain institutions.

Related Archival Material

American Civil Liberties Union, Washington, D.C. Office Records

The Mudd Manuscript Library holds the papers of several ACLU officers:

Roger Nash Baldwin Papers
Peggy Lamson Collection on Roger Baldwin
Osmond K. Fraenkel Diaries
Jeffrey E. Fuller Papers
Arthur Garfield Hays Papers
Carol Pitchersky Papers
Nadine Strossen Papers

The Mudd Library also holds the records of several organizations involved in civil rights, including:
American United for the Separation of Church and State Records
Fund for the Republic Records
Law Students Civil Rights Research Council Records
World Press Freedom Committee Records

The Manuscripts Division at Princeton University holds the P.E.N. American Center Records.

Processing and Other Information

Preferred Citation
Identification of specific item; Date (if known); American Civil Liberties Union Records, Box Number and Folder Title; Public Policy Papers, Special Collections, Princeton University Library.

Works Cited
Historical sketch based on In Defense of American Liberties: A History of the ACLU by Samuel Walker. See also Samuel Walker's The American Civil Liberties Union: An Annotated Bibliography.

Processing Information
ACLU collections have been processed by Adriane Hanson in 2010-2012; in 2011-2013 by Maureen Callahan; by Paula Jabloner in 1994-1996 with the assistance of Daniel Linke. Finding aid written by Maureen Callahan in February 2013.

The last box number in all ACLU Subgroups is 5727 as of January 13, 2020.

Encoding

Descriptive Rules Used
Finding aid content adheres to that prescribed by Describing Archives: A Content Standard.

Subject Headings

· Glasser, Ira.