



TEN TOUGH QUESTIONS ABOUT ACLU POSITIONS

1. Why do you defend Nazis and the Klan?

The ACLU's client is the Bill of Rights, not any particular person or group. When the government infringes on the basic rights of citizens, the ACLU is there. We do not believe that you can pick and choose when to uphold rights. If the government can take away rights from one person, it can take rights away from anyone. For example, the principle by which the Ku Klux Klan has the right to march is the same one that allows civil rights activists to march against racism. While the ACLU condemns all forms of racism, we defend the right of racists to speak their minds as the only means of preserving your right to speak your mind.

2. You're all a bunch of liberals, aren't you?

The ACLU is a nonpartisan group. We have defended people all across the political spectrum, from the Moral Majority and Oliver North to John Scopes and communists. The ACLU strongly supports women's right to choose abortion, yet we have also supported the right of anti-abortion activists to protest near abortion clinics. The ACLU has won support from women's groups for our stand on women's rights, but has angered some feminists for our First Amendment stand on pornography. In short, the principled stance we take on defending the Bill of Rights is neither liberal nor conservative.

3. Why does the ACLU support pornography? Why are you in favor of child porn?

The ACLU does not support pornography or child porn. However, we do oppose virtually all forms of censorship. Possessing certain books or films, even pornographic ones, should not make one a criminal. Once society starts censoring "bad or offensive" ideas, it becomes very difficult to draw the line. As the saying goes, "one man's art is another man's pornography." As for child pornography, the ACLU supports the right of the government to prosecute the makers of child pornography for exploiting minors.

4. Why doesn't the ACLU support gun ownership/gun control?

The ACLU has often been criticized for "ignoring the Second Amendment," and refusing to fight for the individual's right to own a gun or other weapons. The ACLU, however, has not ignored this issue. The national board has in fact debated and discussed the civil liberties aspects of the Second Amendment many times. We believe that the constitutional right to bear arms is primarily a collective one, intended mainly to protect the right of the states to maintain militias to assure their own freedom and security against the central government. In today's world, that idea is somewhat anachronistic and in any case would require weapons much more powerful than handguns or hunting rifles. The ACLU therefore believes that the Second Amendment does not confer an unlimited right upon individuals to own guns or other weapons nor does it prohibit reasonable regulation of gun ownership, such as licensing and registration.

5. Why does the ACLU support the rights of criminals but not victims of crime?

The ACLU supports everyone's rights. People are outraged by crime and understandably want criminals caught and prosecuted. The ACLU simply believes that the rights to fair treatment and due process must be respected for people accused of crimes. Respecting these rights does not cause crime, nor does it hinder police from pursuing criminals. It should, and does in fact, cause police to avoid sloppy procedures.

6. Why is the ACLU against God/Christianity/the Bible?

The ACLU strongly supports our country's guarantee that all people have the right to practice their own religion, as well as the right not to practice any religion. The best way to ensure religious freedom for all is to keep the government out of the business of pushing religion on anybody. The ACLU strongly supports the separation of church and state. In practice, this means that people may practice their religion—just not with government funding or sponsorship. This simple principle in no way banishes or weakens religion. It only means that no one should have somebody else's religion forced on him or her, even if most other people in a community support that religion.

7. Why is the ACLU against drug testing of employees?

The ACLU, of course, believes that employers have the right to discipline and fire workers who fail to perform on the job. However, the ACLU does oppose indiscriminate urine testing because the process is both unfair and unnecessary. Further, drug tests do not measure impaired job performance. A positive drug test simply indicates that a person may have taken drugs at some time in the past—not that they are failing to perform properly in their assigned work. And the accuracy of some drug tests is notoriously unreliable.

The ACLU especially objects to mass random drug testing of workers. There is no reason that a person should have to prove he or she is "innocent" of taking drugs when there is no evidence that he or she has done so. In general, what workers do off the job should be their own business so long as they are performing satisfactorily at work.

8. Why does the ACLU help sex offenders?

Of course, the ACLU supports the prosecution and conviction of sex offenders; they should receive appropriate punishment—especially for repeat offenses. However, like all people with criminal convictions, they are entitled to basic constitutional protections. In this regard, the ACLU opposes locking up an individual indefinitely—potentially for life—after he or she has served their prison term. The punishment is based not on additional wrongful acts, but on speculation that the person may commit illegal acts in the future. This is unconstitutional preventive detention. It is based on the unscientific notion that society can predict with any reasonable standard of accuracy how a particular individual will act at some unspecified time.

9. Why doesn't the ACLU want patients to know whether their doctor or dentist has AIDS?

The ACLU supports increased AIDS treatment programs and education about AIDS. In the case of doctors and dentists, the ACLU supports rigorous standards for disease control in handling medical equipment. That is what prevents the spread of AIDS. The ACLU opposes forced testing of people for AIDS as unnecessary, wasteful of scarce resources, and of extremely limited public health value. Force testing of doctors and dentists for AIDS will be used to discriminate against HIV-positive doctors and dentists. It feeds public hysteria about the disease without working to halt its spread.

10. Does the ACLU support campaign finance reform?

Yes, the ACLU supports the idea of providing public financing to assist candidates running for office. The ACLU believes that providing all candidates with adequate funding to advertise on television, mail information, and travel, will create a more equitable political system. However, the ACLU opposes the idea of putting contribution and spending limits on citizens and candidates because doing so would limit free speech.