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Jane Doe
123 Main Street
Kalamazoo, MI

Dear Friend:

I am the ACLU lawyer who went to court last April to defend freedom of speech in Skokie, Illinois, for a handful of people calling themselves "nazis."

The case has had an enormous impact on my life.

I would like to explain why we took the case, and why the ACLU needs your help now.

The case began when the nazis scattered requests to several Chicago suburbs seeking permits to hold a rally in their towns. Skokie was one of those towns.

Many of the towns that received the nazis' request just ignored it. Skokie did not.

Skokie responded by obtaining a court order banning the rally, and by passing several local laws that in effect prohibited most political rallies, not only the nazis'.

The nazis asked us to defend their right to hold the rally, and to challenge one of the laws prohibiting it. Though I detested their beliefs, I went into court to defend the First Amendment.

I've had a lot of experience with bans on speech like the one in Skokie. I've opposed them when they were used to block civil rights marches, and I've opposed them when they were used to ban anti-war demonstrations. At this very moment, I am representing the Martin Luther King, Jr. Coalition, which has been banned from Marquette Park, a hostile white neighborhood on the southwest side of Chicago, by a law very much like one of the Skokie laws.

But the Skokie case was quite different.

Skokie's population is predominantly Jewish, and includes a large number of concentration camp survivors. To allow people calling themselves nazis to parade in that town seemed to many an agony too much to bear.

I share that agony. All of us at the ACLU do.

The Executive Director of the ACLU, Aryeh Neier, is himself a survivor of nazi Germany. He has more reason than most to despise what people calling themselves nazis stand for.

But the nazis are not the real issue. The Skokie laws are the real issue.

Very few people have actually seen the Skokie laws. They do not specifically prohibit nazis from speaking. They don't even mention them.

The Skokie laws require anyone who wants to speak, parade or demonstrate to apply first for a permit, and they grant the village officials the power to deny a permit if in their opinion the proposed speech portrays a "lack of virtue" in others or "incites hostility."

Anyone who wants to speak must also post a \$350,000 insurance bond. This requirement applies to everyone, not only the nazis, and since insurance companies rarely will write such insurance, the requirement in effect prohibits everyone's free speech.

In fact, Skokie has already used the very same law to deny the Jewish War Veterans a permit to parade.

It is crucial that these kinds of laws and requirements be struck down, because there is no way to limit them. If they are not struck down, then towns everywhere will have the legal power to pass identical laws, and to use them to prohibit whatever they believe is offensive.

Think of such power in the hands of a racist sheriff, or a local police department hostile to anti-war demonstrators, or the wrong kind of President.

That is what was at stake in the Skokie case.

Yet many, understandably, did not see it that way. They felt that the nazis' views were so reprehensible that they did not

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deserve the protection of the Constitution.

A few people even made personal threats against me and other members of the ACLU staff.

The effect of all this on the ACLU has been very disturbing to me. Thousands of members have resigned, and its income has plummeted. All over the country, ACLU offices have had to lay off staff, and financial support for many of its cases is now in jeopardy.

Of the approximately 6,000 cases handled by the ACLU throughout the country, only six -- or one-tenth of one percent -- are like the Skokie case. But now the others are in danger, too, because there isn't enough money to continue.

What do we say to the woman who has been cut off from medicaid payments for abortion? Or to the parents of a mentally retarded child rotting away in a state institution? What do we say to a former government employee whose book on the CIA is being censored? Or to the parents and teachers in a high school that has just banned Kurt Vonnegut and Bernard Malamud from its shelves?

Right now, we may have to say no. We can't help. Too many members have stopped contributing.

And what about our lobbying in Washington? Do you remember S.1, the notorious revision of the criminal code that we successfully beat back a year ago with your help? Now a new bill, improved but with many of the same provisions in it, is about to pass. Do we stop lobbying? We have already cut back substantially, because too many members have stopped contributing.

On January 27, 1978, the Illinois Supreme Court declared the Skokie ban unconstitutional. And on February 23, 1978, a federal court struck down all three Skokie laws including the \$350,000 insurance requirement. We've eliminated the ban on everyone's speech. But the ban was not the only casualty of the case.

The ACLU is on the edge of a precipice, and it needs your hand. We are currently making long-range plans for rebuilding our financial strength, but meanwhile we must survive this crisis.

If we can get just ten thousand staunch friends of civil liberties to contribute just \$25 each right now -- no matter what they may

have given before, or how recently -- we can pull through.

In every generation, there is a comparatively small number of people with rare social insight whose thoughtfulness and conscience tip the scales in favor of important human values. Their names are not always recorded in the history books, but the consequences of their deeds are.

By your past support of ACLU, you have identified yourself as part of the "saving remnant" of our own time. Now we ask you to join with others like yourself all over the country not just to support ACLU but to save it.

Won't you please use the enclosed envelope to send the ACLU your special contribution today?

Sincerely yours,

David Goldberger